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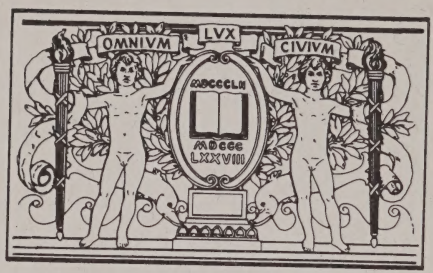

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THE

NORTH AMERICAN REVIEW.

VOL. CIII.

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JULY, 1866.

ART. I. — *Mémoire sur les Mœurs, Coustumes et Relligion des Sauvages de l'Amérique Septentrionale.* Par NICOLAS PERROT. Publié pour la première fois par le R. P. J. TAILHAN, de la Compagnie de Jésus. Leipzig and Paris. 1864.

THE religious belief of the North American Indians seems at a first view anomalous and contradictory. It certainly is so, if we adopt the popular impression. Romance, Poetry, and Rhetoric point, on the one hand, to the august conception of a one all-ruling deity, a Great Spirit, omniscient and omnipresent, and we are told to admire the untutored intellect which could conceive a thought too vast for Socrates and Plato. On the other hand, we find a chaos of degrading, ridiculous, and incoherent superstitions. A closer examination will show that the contradiction is more apparent than real. We will begin with the lowest forms of Indian belief, and thence trace it upward to the highest conceptions which the unassisted mind of the savage attained.

To the Indian, the material world is sentient and intelligent. Birds, beasts, and reptiles have ears for human prayers, and are endowed with influence on human destiny. A mysterious and inexplicable power resides in inanimate things. They, too, can listen to the voice of man, and influence his life for evil or for good. Lakes, rivers, and waterfalls are sometimes the dwelling-place of spirits, but more frequently they are themselves living beings, to be propitiated by prayers and offerings.

The lake has a soul, and so have the river and the cataract. Each can hear the words of men, and each can be pleased or offended. In the silence of a forest, the gloom of a deep ravine, resides a living mystery, indefinite but redoubtable. Through all the works of Nature or of man, nothing exists, however seemingly trivial, that may not be endued with a secret power for blessing or for bane.

Men and animals are closely akin. Each species of animal has its great archetype, its progenitor or king, who is supposed somewhere to exist, prodigious in size, though in shape and nature like his subjects. A belief prevails, vague, but perfectly apparent, that men themselves owe their first parentage to beasts, birds, or reptiles, as bears, wolves, tortoises, or cranes; and the names of the totemic clans, borrowed in nearly every case from animals, are the reflection of this idea.*

An Indian hunter was always anxious to propitiate the animals he sought to kill. He has often been known to address a wounded bear in a long harangue of apology.† The bones of the beaver were treated with especial tenderness, and carefully kept from the dogs, lest the spirit of the dead beaver, or his surviving brethren, should take offence.‡ This solicitude extended not alone to animals, but also to inanimate things. A remarkable example occurred among the Hurons, a people comparatively advanced, who, to propitiate their fishing-nets, and persuade them to do their office with effect, married them

* This belief occasionally takes a perfectly definite shape. There was a tradition among Northern and Western tribes that men were created from the carcasses of beasts, birds, and fishes, by Manabozho, a mythical personage to be described hereafter. The Amikouas, or People of the Beaver, an Algonquin tribe of Lake Huron, claimed descent from the carcass of the great original beaver, or father of the beavers. They believed that the rapids and cataracts on the French River and the Upper Ottawa were caused by dams made by their amphibious ancestor. See the tradition in Perrot, *Mémoire sur les Mœurs, Coustumes et Relligion des Sauvages de l'Amérique Septentrionale*, p. 20. Charlevoix tells the same story. Each Indian was supposed to inherit something of the nature of the animal whence he sprung.

† McKinney, Tour to the Lakes, p. 284, mentions the discomposure of a party of Indians when shown a stuffed moose. Thinking that its spirit would be offended at the indignity shown to its remains, they surrounded it, making apologetic speeches and blowing tobacco-smoke at it as a propitiatory offering.

‡ This superstition was very prevalent, and numerous instances of it occur in old and recent writers, from Father Le Jeune to Captain Carver.

every year to two young girls of the tribe, with a ceremony far more formal than in the case of merely human wedlock.* The fish, too, no less than the nets, must be propitiated; and to this end they were addressed every evening from the fishing camp by one of the party chosen for that function, who exhorted them to take courage and be caught, assuring them that the utmost respect should be shown to their bones. The harangue, which took place after the evening meal, was made in solemn form, and while it lasted, the whole party, except the speaker, were required to lie on their backs, silent and motionless, around their fire.†

Besides ascribing life and intelligence to the material world, animate and inanimate, the Indian believes in supernatural existences, known among the Algonquins as *Manitous*, and among the Iroquois and Hurons as *Okies*. These words comprehend all forms of supernatural being, from the highest to the lowest, with the exception, possibly, of certain diminutive fairies or hobgoblins, and certain giants and anomalous monsters, which appear under various forms, grotesque and horrible, in their fireside legends.‡ There are local manitous of streams, rocks, mountains, cataracts, and forests. The conception of these beings betrays, for the most part, a striking poverty of imagination. In nearly every case, when they reveal themselves to mortal sight, they bear the semblance of beasts, reptiles, or

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* There are frequent allusions to this ceremony in the early writers. The Algonquins of the Ottawa practised it, as well as the Hurons. Lalemant, in his chapter "Du Regne de Satan en ces Contrées" (*Relation des Hurons*, 1639), says that it took place yearly at the middle of March. As it was indispensable that the brides should be virgins, mere children were chosen. The net was held between them, and its spirit, or *Oki*, was harangued by one of the chiefs, who exhorted him to do his part in furnishing the tribe with food. Lalemant was told that the spirit of the net had once appeared in human form to the Algonquins, complaining that he had lost his wife, and warning them that, unless they could find him another equally immaculate, they would catch no more fish.

† Sagard, *Le Grand Voyage du Pays des Hurons*, p. 257. Other old writers make a similar statement.

‡ Many tribes have tales of diminutive beings which, in the absence of a better word, may be called fairies. In the Travels of Lewis and Clark there is mention of a hill on the Missouri supposed to be haunted by them. These Western fairies correspond with the *Puck Wudj Ininee* of Ojibwa tradition. As an example of the monsters alluded to, see the Saginaw story of the *Weendigoes*, in Schoolcraft, Algic Researches, II. 105.

birds, in shapes unusual or distorted.* There are other manitous without local habitation, some good, some evil, countless in number and indefinite in attributes. They fill the world and control the destinies of men, that is to say, of Indians; for the primitive Indian holds that the white man lives under a spiritual rule distinct from that which governs his own fate. These beings, also, appear for the most part in the shape of animals. Sometimes, however, they assume human proportions; but more frequently they take the form of stones, which, being broken, are found full of living blood and flesh.

Each primitive Indian has his guardian manitou, to whom he looks for counsel, guidance, and protection. These spiritual allies are acquired by the following process. At the age of fourteen or fifteen, the Indian boy smears his face with black, retires to some solitary place, and remains for days without food. Superstitious expectancy and the exhaustion of famine rarely fail of their results. His sleep is haunted by visions, and the form which first or most often appears is that of his guardian manitou, — a beast, a bird, a fish, a serpent, or some other object, animate or inanimate. An eagle or a bear is the vision of a destined warrior; a wolf, of a successful hunter; while a serpent foreshadows the future medicine-man, or, according to others, portends disaster.† The young Indian thenceforth wears about his person the object revealed in his dream, or some portion of it,—as a bone, a feather, a snake-skin, or a tuft of hair. This, in the modern language of the forest and prairie, is known as his "medicine." The Indian yields to it a sort of worship, propitiates it with offerings of

* The figure of a large bird is perhaps the most common; as, for example, the good spirit of Rock Island: "He was white, with wings like a swan, but ten times larger." — Autobiography of Blackhawk, p. 70.

† Compare Cass, in North American Review, XIII. 100. A turkey-buzzard, according to him, is the vision of a medicine-man. The writer once knew an old Dahcotah chief who was greatly respected, but had never been to war, though belonging to a family of peculiarly warlike propensities. The reason was, that, in his initiatory fast, he had dreamed of an antelope, — the peace-spirit of his people.

Women fast as well as men, — always at the time of transition from childhood to maturity. In the Narrative of John Tanner, there is an account of an old woman who had fasted, in her youth, for ten days, and throughout her life placed the firmest faith in the visions which had appeared to her at that time. Among the Northern Algonquins, the practice, down to a recent day, was almost universal.

tobacco, thanks it in prosperity, and upbraids it in disaster.* If his medicine fails to bring him the desired success, he will sometimes discard it and adopt another. The superstition now becomes mere fetich-worship, since the Indian regards the mysterious object which he carries about him rather as an embodiment than as a representative of a supernatural power.

Indian belief, however, recognizes a very different class of beings. Besides the giants and monsters of legendary lore, other conceptions may be discerned, more or less distinct, and of a character partially mythical. Of these, the most conspicuous is that remarkable personage of Algonquin tradition, called Manabozho, Messou, Michabou, Nanabush, or the Great Hare. As each species of animal has its archetype or king, so, among the Algonquins, Manabozho is king of all these animal kings. Tradition is diverse as to his origin. According to the most current belief, his father was the West Wind and his mother a great-granddaughter of the Moon. His character is worthy of such a parentage. Sometimes he is a wolf, a bird, or a gigantic hare, surrounded by a court of quadrupeds; sometimes he appears in human shape, majestic in stature and wondrous in endowment, a mighty magician, a destroyer of serpents and evil manitous; sometimes he is a vain and treacherous imp, full of childish whims and petty trickery, the butt and victim of men, beasts, and spirits. His powers of transformation are without limit; his curiosity and malice are insatiable; and of the numberless legends of which he is the hero, the greater part are as trivial as they are incoherent.† It does not appear that Manabozho was ever an object of worship; yet, despite his absurdity, tradition declares him to be chief among the manitous, in short, the "Great Spirit." ‡ It was he who restored the world, sub-

* The writer has seen a Dahcotah warrior open his medicine-bag, talk with an air of affectionate respect to the bone, feather, or horn within, and blow tobacco-smoke upon it as an offering. "Medicines" are acquired not only by fasting, but by casual dreams and otherwise. They are sometimes even bought and sold.

† Mr. Schoolcraft has collected many of these tales. See his Algic Researches, Vol. I. Compare the stories of Messou, given by Le Jeune (*Relations*, 1633, 1634), and the account of Nanabush, by Edwin James, in his notes to Tanner's Narrative of Captivity and Adventures during a Thirty Years' Residence among the Indians; also the account of the Great Hare, in the *Mémoire* of Nicolas Perrot, Chaps. I., II.

‡ "Presque toutes les Nations Algonquines ont donné le nom de *Grand Liévre* au Premier Esprit, quelques-uns l'appellent *Michabou* (Manabozho)." — Charlevoix, *Journal Historique*, 344.

merged by a deluge. He was hunting in company with a certain wolf, who was his brother, or, by other accounts, his grandson, when this his quadruped relative fell through the ice of a frozen lake, and was at once devoured by certain serpents lurking in the depths of the waters. Manabozho, intent on revenge, transformed himself into the stump of a tree, and by this artifice surprised and slew the king of the serpents, as he basked with his followers in the noontide sun. The serpents, who were all manitous, caused, in their rage, the waters of the lake to deluge the earth. Manabozho climbed a tree, which, in answer to his entreaties, grew as the flood rose around it, and thus saved him from the vengeance of the evil spirits. Submerged to the neck, he looked abroad on the waste of waters, and at length descried the bird known as the loon, to whom he appealed for aid in the task of restoring the world. The loon dived in search of a little mud, as material of reconstruction, but could not reach the bottom. A muskrat made the same attempt, but soon reappeared floating on his back, and apparently dead. Manabozho, however, on searching his paws, discovered in one of them a particle of the desired mud, and of this, together with the body of the loon, he created the world anew.*

There are various forms of this tradition, in some of which Manabozho appears, not as the restorer, but as the creator of the world, forming mankind from the carcasses of dead beasts, birds, and fishes. † Other stories represent him as marrying a female muskrat, by whom he became the progenitor of the human race. ‡

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* This is a form of the story still current among the remoter Algonquins. Compare the story of Messou in Le Jeune, *Relation*, 1633, p. 16. It is substantially the same.

† In the beginning of all things, Manabozho, in the form of the Great Hare, was on a raft, surrounded by animals who acknowledged him as their chief. No land could be seen. Anxious to create the world, the Great Hare persuaded the beaver to dive for mud, but the adventurous diver floated to the surface senseless. The otter next tried, and failed like his predecessor. The muskrat now offered himself for the desperate task. He plunged, and, after remaining a day and night beneath the surface, reappeared floating on his back beside the raft, apparently dead, and with all his paws fast closed. On opening them, the other animals found in one of them a grain of sand, and of this the Great Hare created the world. Perrot, *Mémoire*, Chap. I.

‡ Le Jeune *Relation*, 1633, p. 16. The muskrat is always a conspicuous figure in Algonquin cosmogony.

It is said that Messou, or Manabozho, once gave to an Indian the gift of immor-

Searching for some higher conception of supernatural existence, we find among a portion of the primitive Algonquins traces of a vague belief in a spirit dimly shadowed forth under the name of Atahocan, to whom it does not appear that any attributes were ascribed or any worship offered, and of whom the Indians professed to know nothing whatever.* There is no evidence that this belief extended beyond certain tribes of the Lower St. Lawrence. Others saw a supreme manitou in the sun. † The Algonquins believed also in a malignant manitou, in whom the early missionaries failed not to recognize the Devil, but who was far less dreaded than his wife. She wore a robe made of the hair of her victims, for she was the cause of death; and she it is whom, by yelling, drumming, and stamping, they seek to drive away from the sick. Sometimes, at night, she was seen by some terrified squaw in the forest, in shape like a flame of fire; and when the vision was announced to the circle crouched around the lodge-fire, they burned a fragment of meat to appease the female fiend.

The East, the West, the North, and the South were vaguely personified as spirits or manitous. Some of the winds, too, were personal existences. The West Wind, as we have seen, was father of Manabozho. There was a Summer-Maker and a Winter-Maker, and the Indians tried to keep the latter at bay by throwing firebrands into the air.

When we turn from the Algonquin family of tribes to that of the Iroquois, we find another cosmogony and other conceptions of spiritual existence. While the earth was as yet a waste of waters, there was, according to Iroquois and Huron traditions, a heaven with lakes, streams, plains, and forests, inhabited by animals, by spirits, and, as some affirm, by human beings. Here a certain female spirit, named Ataentsic, was once chasing a bear, which, slipping through a hole, fell down to the earth. Ataentsic's dog followed, when she herself, struck with despair, jumped after them. Others declare that she was kicked out of

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tality, tied in a bundle, enjoining him never to open it. The Indian's wife, however, impelled by curiosity, one day cut the string; the precious gift flew out, and Indians have ever since been subject to death. Le Jeune, *Relation*, 1634, p. 13.

* Le Jeune, *Relation*, 1633, p. 16; *Relation*, 1634, p. 13.

† Biard, *Relation*, 1611, Chap. IX. This belief was very prevalent.

heaven by the spirit, her husband, for an amour with a man; while others, again, hold the belief that she fell in the attempt to gather for her husband the medicinal leaves of a certain tree. Be this as it may, the animals swimming in the watery waste below saw her fall, and hastily met in council to determine what should be done. The case was referred to the beaver. The beaver commended it to the judgment of the tortoise, who thereupon called on the other animals to dive, bring up mud, and place it on his back. Thus was formed a floating island, on which Ataentsic fell; and here, being pregnant, she was soon delivered of a daughter, who in turn bore two boys, whose paternity is unexplained. They were called Taouscaron and Jouskeha, and presently fell to blows, Jouskeha killing his brother with the horn of a stag. The back of the tortoise grew into a world full of verdure and life; and Jouskeha, with his grandmother Ataentsic, ruled over its destinies.*

He is the Sun; she is the Moon. He is beneficent; but she is malignant, like the female demon of the Algonquins. They have a bark house, made like those of the Iroquois, at the end of the earth, and they often come to feasts and dances at the Indian villages. Jouskeha raises corn for himself, and makes plentiful harvests for mankind. Sometimes he is seen, thin as a skeleton, with a spike of shrivelled corn in his hand, or greedily gnawing a human limb, and then the Indians know that a grievous famine awaits them. He constantly interposes between mankind and the malice of his wicked grandmother, whom, at

* The above is the version of the story given by Brebeuf, *Relation des Hurons*, 1636, p. 86 (Cramoisy, 1637). No two Indians told it precisely alike, though nearly all of the Hurons and Iroquois agreed as to its essential points. Compare Vanderdonck, Cusick, Sagard, and other writers. According to Vanderdonck, Ataentsic became mother of a deer, a bear, and a wolf, by whom she afterwards bore all the other animals, mankind included. Brebeuf found also among the Hurons a tradition inconsistent with that of Ataentsic, and bearing a trace of Algonquin origin. It declares that, in the beginning, a man, a fox, and a skunk found themselves together on an island, and that the man made the world out of mud brought him by the skunk.

The Delawares, an Algonquin tribe, seem to have borrowed somewhat of the Iroquois cosmogony, since they believed that the earth was formed by the back of a tortoise.

According to some, Jouskeha became the father of the human race, but, in the third generation, a deluge destroyed his posterity, so that it was necessary to transform animals into men. Charlevoix, III. 345.

times, he soundly cudgels. It was he who made lakes and streams; for once the earth was parched and barren, all the water being gathered under the armpit of a colossal frog; but Jouskeha pierced the armpit and let out the water. No prayers were offered to him, his benevolent nature rendering them superfluous.*

The early writers call Jouskeha the creator of the world, and speak of him as corresponding with the vague Algonquin deity, Atahocan. Two other forms, however, faintly appear in Iroquois mythology, with equal claims to be regarded as supreme spirits. One is called Areskoui, the other Owayneo. Areskoui's most distinctive feature is that of a deity of war. Beyond this, it does not appear that any definite attribute was assigned to either. Like Jouskeha, both were identified with the sun, and the three may probably be regarded as the same being under different names.

The Iroquois proper, or Five Nations, recognized another superhuman personage, — plainly a deified chief or hero. This was Tarenyowagon, or Hiawatha, said to be a divinely appointed messenger, who made his abode on earth for the political and social instruction of the chosen race, and whose counterpart is to be found in the traditions of the Peruvians, Mexicans, and other primitive nations.†

Close examination makes it evident that the primitive Indian's idea of a supreme being was a conception no higher than might have been expected. The moment he began to contemplate this object of his faith, and sought to clothe it with attributes, it became finite, and commonly ridiculous. The creator of the world stood on the level of a barbarous and degraded humanity, while a natural tendency became apparent to look beyond him to other powers sharing his dominion. The Indian belief, if developed, would have developed into a system of polytheism.‡

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* Compare Brebeuf, as before cited, and Sagard, *Voyage des Hurons*, p. 228.

† Several forms of the tradition of Hiawatha are preserved in the voluminous "History, Condition, and Prospects of Indian Tribes," published by government. There is great uncertainty in the traditions relating to Tarenyowagon. In some of them he appears as the son of Jouskeha, and is apparently identified with Areskoui.

‡ Some of the early writers could discover no trace of belief in a supreme spirit

In the primitive Indian's conception of a God the idea of moral good has no part. His deity does not dispense justice for this world or the next, but leaves mankind under the power of subordinate spirits, who fill and control the universe. Nor is the good and evil of these inferior beings a moral good and evil. The good spirit is the spirit that gives good luck and ministers to the necessities and desires of mankind; the evil spirit is simply a malicious agent of disease, death, and mischance.

In no Indian language could the early missionaries find a word to express the idea of God. *Manitou* and *Oki* meant anything endowed with supernatural powers, from a snake-skin, or a greasy Indian conjurer, up to Manabozho and Jouskeha. The priests were forced to use a circumlocution, — "The Great Chief of Men," or "The Great Manitou who lives in the Sky." * Yet it should seem that the idea of a supreme controlling spirit might naturally arise from the peculiar character of Indian belief. The idea that each race of animals has its archetype or chief, would easily suggest the existence of a supreme chief of the spirits or of the human race, — a conception imperfectly shadowed forth in Manabozho. The Jesuit missionaries seized this advantage. "If each sort of animal has its king," they urged, "so, too, have men; and as man is above all the animals, so is the spirit that rules over men the master of all the other spirits." The Indian mind readily accepted the idea, and tribes in no sense Christian quickly rose to the belief in a one controlling spirit. The Great Spirit became a distinct existence, a pervading power in the universe, and a dispenser of justice. Many tribes now pray to him, though still clinging obstinately to their ancient superstitions; and, with some, as the heathen portion of the modern Iroquois, he is clothed with attributes of moral good.†

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of any kind. Perrot, after a life spent among the Indians, ignores such an idea. Allouez emphatically denies that it existed. *Relation*, 1667, p. 11.

* See *Divers Sentimens*, appended to the *Relation* of 1635, § 27; and also many other passages of early missionaries.

† In studying the writers of the last and of the present century, it is to be remembered that their observations were made upon savages who had been for generations in contact, immediate or otherwise, with the doctrines of Christianity. Many observers have interpreted the religious ideas of the Indians after preconceived ideas

The primitive Indian believed in the immortality of the soul,* but he did not always believe in a state of future reward and punishment. Nor, when such a belief existed, was the good to be rewarded a moral good, or the evil to be punished a moral evil. Skilful hunters, brave warriors, men of influence and consideration, went, after death, to the happy hunting-ground; while the slothful, the cowardly, and the weak were doomed to eat serpents and ashes in dreary abodes of mist and darkness. In the general belief, however, there was but one land of shades for all alike. The spirits, in form and feature as they had been in life, wended their way through dark forests to the villages of the dead, subsisting on bark and rotten wood. On arriving, they sat all day in the crouching posture of the sick, and, when night came, hunted the shades of animals, with the shades of bows and arrows, among the shades of trees and rocks; for all things, animate and inanimate, were alike immortal, and all passed together to the gloomy country of the dead.

The belief respecting the land of souls varied greatly in different tribes and different individuals. Among the Hurons there were those who held that departed spirits pursued their journey through the sky, along the Milky Way, while the souls

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of their own; and it may safely be affirmed that an Indian will respond with a grunt of acquiescence to any question whatever touching his spiritual state. Loskiel and the simple-minded Heckewelder write from a missionary point of view; Adair, to support a theory of descent from the Jews; the worthy theologian, Jarvis, to maintain his dogma that all religious ideas of the heathen world are perversions of revelation; and so, in a greater or less degree, of many others. By far the most close and accurate observers of Indian superstition were the French and Italian Jesuits of the first half of the seventeenth century. Their opportunities were unrivalled; and they used them in a spirit of faithful inquiry, accumulating facts, and leaving theory to their successors. Of recent American writers, no one has given so much attention to the subject as Mr. Schoolcraft; but, in view of his opportunities and his zeal, his results are most unsatisfactory. The work in six large quarto volumes, "History, Condition, and Prospects of Indian Tribes," published by government under his editorship, includes the substance of most of his previous writings. It is a singularly crude and illiterate production, stuffed with blunders and self-contradictions, giving evidence on every page of a striking unfitness either for historical or philosophical inquiry, and taxing to the utmost the patience of those who would extract what is valuable in it from its oceans of pedantic verbiage.

* The exceptions are exceedingly rare. Father Gravier says that a Peoria Indian once told him that there was no future life. It would be difficult to find another instance of the kind.

of dogs took another route, by certain constellations, known as the "Way of the Dogs." *

At intervals of ten or twelve years, the Hurons, the Neuters, and other kindred tribes, were accustomed to collect the bones of their dead, and deposit them with great ceremony in a common place of burial. The whole nation was sometimes gathered at this solemnity; and hundreds of corpses, brought from their temporary resting-places, were inhumed in one capacious pit. From this hour the immortality of their souls began. They took wing, as some affirmed, in the shape of pigeons; while the greater number declared that they journeyed on foot and in their own likeness to the land of shades, bearing with them the ghosts of the wampum-belts, beaver-skins, bows, arrows, pipes, kettles, beads, and rings buried with them in the common grave.† But as the spirits of the old and of children are too feeble for the march, they are forced to stay behind, lingering near their earthly villages, where the living often hear the clapping of their invisible cabin doors, and the weak voices of the disembodied children driving birds from their corn-fields.‡ An endless variety of incoherent fancies is connected with the Indian idea of a future life. They commonly owe their origin to dreams, often to the dreams of those in extreme sickness, who, on awaking, supposed that they had visited the other world, and related to the wondering by-standers what they had seen.

The Indian land of souls is not always a region of shadows and gloom. The Hurons sometimes represented the souls of their dead — those of their dogs included — as dancing joyously in the presence of Ataentsic and Jouskeha. According to some Algonquin traditions, heaven was a scene of endless festivity, the ghosts dancing to the sound of the rattle and the drum, and greeting with hospitable welcome the occasional

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* Sagard, *Voyage des Hurons*, p. 233.

† The practice of burying treasures with the dead is not peculiar to the North American aborigines. Thus, the London Times of October 28, 1865, describing the funeral rites of Lord Palmerston, says: "And as the words, 'Dust to dust, ashes to ashes,' were pronounced, the chief mourner, as a last precious offering to the dead, threw into the grave several diamond and gold rings."

‡ Brebeuf, *Relation des Hurons*, 1636, p. 97 (Cramoisy, 1637).

visitor from the living world; for the spirit-land was not far off, and roving hunters sometimes passed its confines unawares.

Most of the traditions agree, however, that the spirits on their journey heavenward were beset with difficulties and perils. There was a swift river which must be crossed on a log that shook beneath their feet, while a ferocious dog opposed their passage and drove many into the abyss. This river was full of sturgeons and other fish, which the ghosts speared for their subsistence. Beyond was a narrow path between moving rocks, which each instant crashed together, grinding to atoms the less nimble of the pilgrims who essayed to pass. The Hurons believed that a personage named Oscotarach, or the Head-Piercer, dwelt in a bark house beside the path, and that it was his office to remove the brain from the heads of those who passed, as a necessary preparation for immortality. This singular idea is found also in some Algonquin traditions, according to which, however, the brain is afterwards restored to its owner.*

Dreams were to the Indian a universal oracle. They revealed to him his guardian spirit, taught him the cure of his diseases, warned him of the devices of sorcerers, guided him to the lurking-places of his enemy or the haunts of game, and unfolded the secrets of good and evil destiny. The dream was a mysterious and inexorable power, whose least behests must be obeyed to the letter, — a source in every Indian town of endless mischief and abomination. There were professed dreamers and professed interpreters of dreams. One of the most noted festivals among the Hurons and Iroquois was the Dream Feast, a scene of frenzy, where the actors counterfeited madness and the town was like a bedlam turned loose. Each pretended to have dreamed of something necessary to his welfare, and rushed from house to house demanding of all he met to guess his secret requirement and satisfy it.

Believing that the whole material world was instinct with powers to influence and control his fate, that good and evil

* On Indian ideas of another life, compare Sagard, the Jesuit *Relations*, Perrot, Charlevoix, and Lafitau with Tanner, James, Schoolcraft, and the Appendix to Morse's Indian Report.

spirits and existences nameless and indefinable filled all nature, that a pervading sorcery was above, below, and around him, and that issues of life and death might be controlled by instruments the most unnoticeable and seemingly the most feeble, the Indian lived in perpetual fear. The turning of a leaf, the crawling of an insect, the cry of a bird, the creaking of a bough, might be the mystic signal of his weal or woe.

An Indian community swarmed with sorcerers, medicine-men, and diviners, whose functions were often united in the same person. The sorcerer, by charms, magic songs, magic feasts, and the beating of his drum, had power over the spirits and those occult influences inherent in animals and inanimate things. He could call to him the souls of his enemies. They appeared before him in the form of stones. He chopped and bruised them with his hatchet; blood and flesh issued forth; and the intended victim, however distant, languished and died. Like the sorcerer of the Middle Ages, he made images of those he wished to destroy, and, muttering incantations, punctured them with an awl, whereupon the persons represented sickened and pined away.

The Indian doctor relied far more on magic than on natural remedies. Dreams, beating of the drum, songs, magic feasts and dances, and howling to frighten the female demon from his patient, were his ordinary means of cure. The prophet or diviner had various means of reading the secrets of futurity, such as the flight of birds and the movements of water and fire. There was a peculiar practice of divination very general in the Algonquin family of tribes, with some of whom it still subsists. A small, conical lodge was made by planting poles in a circle, lashing the tops together at a height of about seven feet from the earth, and closely covering them with hides. The prophet now crawled in, and closed the aperture after him. He then beat his drum and sang his magic songs to summon the spirits, whose weak, shrill voices were soon heard, mingled with his lugubrious chanting; while at intervals the juggler paused to interpret their communications to the attentive crowd seated on the ground without. During the whole scene the lodge swayed to and fro with a violence which has astonished many a civilized beholder, and which some of the Jesuits

explain by the ready solution of a genuine diabolic intervention.*

The sorcerers, medicine-men, and diviners did not usually discharge the function of priests. Each man sacrificed for himself to the powers he wished to propitiate, whether his guardian spirit, the spirits of animals, or the other beings of his belief. The most common sacrifice was tobacco, thrown into the fire or water; scraps of meat were sometimes offered; and on a few rare occasions of public solemnity, a white dog, the mystic animal of many tribes, was tied to the end of an upright pole, as a sacrifice to some superior spirit, or to the sun, with which the superior spirits were constantly confounded by the primitive Indian. In recent times, when Judaism and Christianity have modified his religious ideas, dogs were, and still are, sacrificed to the Great Spirit. On these public occasions the sacrificial function is discharged by chiefs, or by warriors appointed for the purpose.†

Among the Hurons and Iroquois, and, indeed, all the stationary tribes, there was an incredible number of mystic ceremonies, extravagant, puerile, and often disgusting, designed for the cure of the sick or for the general welfare and prosperity of the community. Most of their observances seem originally to have been dictated by dreams, and transmitted as a sacred heritage from generation to generation. They consisted in an endless variety of dances, masqueradings, and nondescript orgies; and a scrupulous adherence to all the traditional forms was held to be of the last moment, as the slightest failure in

* This practice was first observed by Champlain. See "Pioneers of France in the New World." From his time to the present day, numerous writers have remarked upon it. Le Jeune, in the *Relation* of 1637, treats it at some length. The lodge was sometimes of a cylindrical, instead of a conical form.

† Many of the Indian feasts were feasts of sacrifice, sometimes to the guardian spirit of the host, sometimes to an animal of which he has dreamed, sometimes to a local or other spirit. The food was first offered in a loud voice to the being to be propitiated, after which the guests proceeded to devour it for him. This unique method of sacrifice was practised at war-feasts and similar solemnities. For an excellent account of Indian religious feasts, see Perrot, Chap. V.

One of the most remarkable of Indian sacrifices was that practised by the Hurons in the case of a person drowned or frozen to death. The flesh of the deceased was cut off and thrown into a fire made for the purpose, as an offering of propitiation to the spirits of the air or water. What remained of the body was then buried near the fire. Brebeuf, *Relation des Hurons*, 1636, p. 108.

this respect might entail serious calamities. If children were seen in their play imitating any of these mysteries, they were grimly rebuked and punished. In many tribes secret magical societies existed, and still exist, into which members are in itiated with peculiar mystic ceremonies. These associations are greatly respected and feared. They have charms for love, war, and private revenge, and hold a great and often a very mischievous influence. The societies of the Metai and the Wabeno, among the Northern Algonquins, are conspicuous examples; while other societies of similar character have, for a century, been known to exist among the Dahcotah.*

A notice of the superstitious ideas of the Indians would be imperfect without a reference to the traditionary tales by which these ideas are handed down from father to son. Some of these tales can be traced back to the period of the earliest intercourse with Europeans. One at least of those recorded by the first missionaries, on the Lower St. Lawrence, is still current among the tribes of the Upper Lakes. Many of them are curious combinations of beliefs seriously entertained with strokes intended for humor and drollery, which never fail to awaken peals of laughter in the lodge-circle. Giants, dwarfs, cannibals, spirits, beasts, birds, and anomalous monsters, transformations, tricks, and sorcery, form the staple of the story. Some of the Iroquois tales embody conceptions which, however preposterous, are of a bold and striking character; but those of the Algonquins are to an incredible degree flimsy, silly, and meaningless; nor are those of the Dahcotah tribes much better. In respect to this wigwam lore there is a curious superstition of very wide prevalence. The tales must not be told in summer, since at that season, when all Nature is full of life, the spirits are awake, and, hearing what is said of them, may take offence; whereas in winter they are fast sealed up in snow and ice, and no longer capable of listening.†

* The Friendly Society of the Spirit, of which the initiatory ceremonies were seen and described by Carver (Travels, 271), preserves to this day its existence and its rites.

† The prevalence of this fancy among the Algonquins in the remote parts of Canada is well established. The writer found it also among the extreme Western bands of the Dahcotah. He tried, in the month of July, to persuade an old chief, a noted story-teller, to tell him some of the tales; but, though abundantly loqua-

It is obvious that the Indian mind has never seriously occupied itself with any of the higher themes of thought. The beings of its belief are not impersonations of the forces of Nature, the courses of human destiny, or the movements of human intellect, will, and passion. In the midst of Nature, the Indian knew nothing of her laws. His perpetual reference of her phenomena to occult agencies forestalled inquiry, and precluded inductive reasoning. If the wind blew with violence, it was because the water-lizard which makes the wind had crawled out of his pool; if the lightning was sharp and frequent, it was because the young of the thunder-bird were restless in their nest; if a blight fell upon the corn, it was because the Corn Spirit was angry; and if the beavers were shy and difficult to catch, it was because they had taken offence at seeing the bones of one of their race thrown to a dog. Well and even highly developed, in a few instances, — we allude especially to the Iroquois, — with respect to certain points of material concernment, the mind of the Indian in other respects was and is almost hopelessly stagnant. The very traits that raise him above the servile races are hostile to the kind and degree of civilization which those races so easily attain. His intractable spirit of independence, and the pride which forbids him to be an imitator, reinforce but too well that savage lethargy of mind from which it is so hard to rouse him. No race, perhaps, ever offered greater difficulties to those laboring for its improvement.

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cious in respect to his own adventures, and even his dreams, the Indian obstinately refused, saying that winter was the time for the tales, and that it was bad to tell them in summer.

Mr. Schoolcraft has published a collection of Algonquin tales, under the title of "Algic Researches." Most of them were translated by his wife, an educated Ojibwa half-breed. The book is perhaps the best of Mr. Schoolcraft's works, though its value is much impaired by the want of a literal rendering, and the introduction of decorations which savor more of a popular monthly magazine than of an Indian wigwam. Mrs. Eastman's interesting "Legends of the Sioux" (Dahcotah) is not free from the same defect. Other tales are scattered throughout the works of Mr Schoolcraft and various modern writers. A few are to be found in the works of Lafitau and the other Jesuits. But few of the Iroquois legends have been printed, though a considerable number have been written down. The singular "History of the Five Nations," by the old Tuscarora Indian, Cusick, gives the substance of some of them.

To sum up the results of this examination, the primitive Indian was as savage in his religion as in his life. He was divided between fetich-worship and that next degree of religious development which consists in the worship of deities embodied in the human form. His conception of their attributes was such as might have been expected. His gods were no whit better than himself. Even when he borrows from Christianity the idea of a supreme and universal spirit, his tendency is to reduce him to a local habitation and a bodily shape; and this tendency disappears only in tribes that have been long in contact with civilized white men. The primitive Indian, yielding his untutored homage to one all-pervading and omnipotent spirit, is a dream of poets, rhetoricians, and sentimentalists.

ART. II. — 1. *Indian Epic Poetry, being the Substance of Lectures recently given at Oxford.* By MONIER WILLIAMS. London. 1863.

2. *Poésie Héroïque des Indiens.* Par F. G. EICHHOFF. Paris. 1860.

3. *Onze Épisodes du Mahabharata.* Traduits par ED. FOUCAUX. Paris. 1862.

4. *Traduction complète du Mahabharata.* Par H. FAUCHE. Vol. I. Paris. 1863.

5. *Ardschuna's Reise zu Indra's Himmel. — Diluvium cum III. aliis Maha-Bharati Episodis. — Nala und Damayanti.* Uebersetzt von FRANZ BOPP. Berlin. 1824, 1829, 1838.

IT was in 1785 that the English Orientalist, Wilkins, gave to the world the first Sanscrit publication printed in Europe; and this was the original text, with a translation, of the *Bhagavad-Gita*, one of the episodes of the colossal Hindoo epopee, the immeasurable *Mahabharata*. At that time neither Wilkins nor any one else could ever dream of translating, or even deciphering, the whole of the vast composition; and although as early as 1806 men like Wilhelm Schlegel undertook to exam-

ine portions of it for archæological, linguistical, or historical purposes, giving us a multitude of valuable results, no one for the long interval of three quarters of a century ever ventured to do much by way of exposition of either the whole or even any considerable part of it. Indeed, at that time such a thing could not reasonably be expected; for, up to the year 1834, by far the greater part of the text of the original existed only in manuscript, and this even was probably rarely accessible except in fragments. It was in that year that the Asiatic Society of Bengal began to issue a complete edition of the text, and in 1839 the whole of it appeared, in four quartos, at Calcutta.

The work, having thus come fairly within the reach of European scholars, soon gave rise to a new epoch of its exploration for the varied ends of erudition and of science. Among the first of those who applied themselves with new ardor to the study of it was the distinguished Eugène Burnouf, of the College of France, who not only devoted an extra weekly lecture to the examination of the venerable literary monument, but who also urged some of the most promising of his students to enlist in the treatment of portions of it with a view to speedy publication.

His call was not neglected, and we soon find three of his most eminent young friends earnestly at work. The first of the number was M. Pavie, who in 1844 edited eight fragments of the poem, to which, in 1860, M. Edward Foucaux added eleven others, interpreted by himself. But by far the most enterprising of the number is M. H. Fauche, the distinguished and learned translator of the *Gita-Govinda*, of the poetical works of Kalidasa, of the *Ramayana*, and other Sanscrit works, who has undertaken to crown his labors in this department of Oriental letters by giving to the world a complete version of the vast epos, which it is expected will fill no less than sixteen volumes. The thanks of all Orientalists and lovers of literature will doubtless become due to M. Fauche for not shrinking from an undertaking which others have pronounced impracticable, or at any rate unpromising. The interpreter of *Panini*, M. Theodor Goldstücker, confesses having commenced a German version of the same poem, which he soon

relinquished, declaring it impossible either to comprehend the original properly or to render it with exactness, until a much larger number of manuscripts shall have been collated, and the native scholia and glosses (as yet almost entirely unknown) properly examined and digested. The same opinion is substantially advocated by M. Émile Wattier, who a short time ago published a French version of the sixteenth canto of the epos. He suggests that it would be more desirable, in the first place, to eliminate from the body of the work the innumerable additions and interpolations by which it is admitted to be encumbered, and then to give to the world only such portions as shall be recognized as authentic, primitive, and genuine beyond a doubt. So much the more credit will therefore be due to the intrepidity of M. Fauche for refusing to wait for a more critical recension of the poet; and if, on that account, his work shall here and there fall short of absolute perfection, it will, nevertheless, not only prove a source of profit and of pleasure to many, but it may perhaps even aid us in the work of tracing the genuine substance of the primitive composition with more exactness.

In speaking here of Burnouf and his school, it would be ungrateful not to recollect what Germany has done for our epopee. If to William Schlegel we are indebted for an early translation of the *Bhagavad-Gita*, we owe to the indefatigable Bopp German and Latin versions of a number of episodes and other portions of this poem, some of which date back as far as 1829, while *savans* like Lassen and Weber have provided us with many invaluable archæological aids. The work is therefore no longer enveloped in a mist; we have enough of it translated and elucidated to offer a complete survey of it.

The name of the epos signifies nothing less than *The Great Bharata*, which is an abridged expression for "The Great History of the Race of Bharata," the son of Dushmanta and Sakuntala, not to be mistaken for the brother of the divine Rama of the same name. The subtilty of the Hindus, however, not satisfied with this explanation, resorts to another fanciful etymology, the result of a most unwarrantable play upon the word *bhara*, which means a weight of gold. In the general table of contents prefixed to the poem, it is called

the fifth *Veda* of Vyasa, with the addition of the following curious explanation: "When the assembled gods had put the four Vedas into one scale of the balance and the Bharata into the other, it was then found that the latter carried the weight over the four Vedas with all their mysteries; and from that moment it has, in this world, received the appellation of *Mahabharata* (that is to say, 'the great weight')."

But leaving aside this etymological *niaiserie*, let us at once proceed to take a rapid glance at the general characteristics, the probable authorship, the history and subject of the epos before us, and then to offer lastly a brief outline of the different rhapsodies or cantos into which the colossus is divided.

The most striking peculiarity connected with this poem, as compared with others of the same class, is its enormous extent, the *princeps* text of the Calcutta edition, divided into eighteen *parvans*, or books, offering us no less than 107,389 *slokas*, or distichs, of which each has regularly four hemistichs, and is symmetrically composed of thirty-two long or short syllables, arranged according to the laws of prosody. It is certain, however, that this vast number of verses did not enter into the original form of the poem. We must, in the first place, deduct the 16,374 slokas of the *Harivansa*, a supplement added to this edition of the Mahabharata, but universally conceded to be of posterior origin; and then we must also remember that, of the innumerable episodes, the great majority did not form part of the original composition; they are manifestly of various dates, some very ancient, others much later, and have gradually, at sundry times, found their way into the body of the great poetic encyclopædia. With all these subtractions made from the vast figure given above, it has been found that the verses of the Mahabharata proper would be reduced to the number of only about 40,000 or 50,000. But even after this diminution, the dimensions of the poem are still quite extraordinary, when we remember that the Æneid contains only about 10,000 verses; the Iliad, 15,000; the Odyssey, 12,000; while the longest rhymed romances of the Middle Age—as, for example, the "Alexander the Great" of the Trouvères De Bernay and Le Court—do not transcend the limits of about 23,000 verses. Be this, however, as it may, the Hindus themselves for ages past have not had the

least doubt that everything contained in their great national work is not only genuine, but sacred; and not only this, but they have even a tradition that the Mahabharata in their possession, which they call the *human* copy, has a celestial prototype in a much more extensive one belonging to the gods, which has been ascertained to contain no less than twelve millions of verses, exact measure! The unabridged dimensions of the human Mahabharata are excelled only by the great national epos of the Kalmucks, — the *Dshangariade*, mentioned by the traveller Bergmann, — which, if his report can be credited, is divided into no less than three hundred and sixty sections, each of them of three or four times the extent of one of the books of Homer's Iliad!

The question of the authorship of so extensive a composition as the Mahabharata is not one of difficult solution, when we recollect what recent investigations have rendered probable in reference to the works of Homer, and have made certain in reference to the epos of the Germans, the *Nibelungen*, which in its present shape is now known to be but a redaction of a variety of rhapsodies of a much older date, formerly in vogue, not only among the Germans, but also among the Scandinavians, where we yet find a number of them preserved in the historical portion of the Eddas. The same may be observed of the old Spanish *Romancero* of the Cid. Now if, in the case of all these poetical collections, we are obliged to admit the evidence of more than one author, — of a family or series of successive poets concerned in their production, — the case of the Mahabharata is a still stronger one; and it is, indeed, almost incredible that a work of such vast dimensions and such checkered contents should have emanated from one mind, or ever been redacted by one hand. There is every indication to the contrary, in spite of the fact that the Hindus themselves claim the authorship for one man; for this claim is based upon a tradition so fabulous, that, so far from invalidating the internal evidence of the work, it cannot even be defended against the charge of inconsistency and contradiction. To prove that this is so, it is only necessary to produce the account, which is as follows. The author of the Mahabharata is no less august a personage than the mysterious *rishi* and *muni* (i. e. patriarch

and hermit) Krishna-Dvaipayana, more commonly known by the name of Vyasa, which signifies the arranger, the rhapsodist, or the compiler.

The *rishi* is supposed to have flourished somewhere between the fifteenth and the twelfth century before our era, and was venerated as the author of several other works, and as the high authority to which the Vedas, some of the Puranas, and other orthodox books, are indebted for their present form. He is spoken of as the son of the sage Parasara and of the beautiful Satyavati. One day, the legend informs us, he came to an island of the river Yamuna, and there became the father, or at any rate the guardian, of the two princes, Dhritarashtra and Pandu, whose sons, as we shall presently see, are the heroes of his epopee.

In the poem Vyasa is himself frequently spoken of, but always in the third person, and as one of the personages of the action; so that it would appear that in extreme old age the *rishi* had himself an opportunity to witness and recount all the actions of his descendants. As for his work, he is himself said to have instructed his pupil, Vaiscampayava, to commit it to memory; and in this the latter succeeded so well as to recite the whole of it on the occasion of a grand sacrifice offered by one of the heroes of the poem, Djasnamedjaya. A second recital of the poem, and of the poem as we have it now, is said to have been made by Ugrasravas, in the presence of a society of sages assembled in the forest of Naimishma, upon the occasion of a religious solemnity instituted by the legislator Saunaka. It was upon this occasion that the text of it was definitively and forever settled by being committed to writing, which art had then just been invented; and a great number of interlocutors and narrators are mentioned as having taken part in the proceedings.

It is almost superfluous to observe, that this account presents too many improbabilities and anachronisms to stand in need of much discussion. For although it be not impossible that some Vyasa may have composed legendary poems on this theme, it is yet manifest that a host of imitators subsequently added so many of their own inspirations as almost to obliterate the primitive composition, and that the final redaction could not

have been made until centuries after its first portions were composed. Thus, while certain portions of the poem offer us the incontestable marks of a very high antiquity, others are of so recent an origin that they can scarcely be referred farther back than the third century of our era.

It would appear, therefore, that the colossal monument rose gradually, and at considerable intervals, into the proportions which it now presents; and therefore the poem, as we have it now, presents, not so much the appearance of an epos, with a clearly and consistently developed action, as of a vast encyclopædia of all the narratives and myths that bore more or less analogy to each other as members of the same family or cycle. As to the exact date of the final redaction of this corpus of myths into the shape in which it is now before us, there has been great diversity of opinion among the Orientalists, owing to the difference of stand-point from which they were disposed to look at it. The primitive elements of the text have led some to refer it to the remotest antiquity, and Wilson maintained that all the Puranas are derived from it; while its comparatively modern form and other indications have induced others to claim for it a much more recent date, and to put it as late as some centuries after Christ. Among the latter we may mention Professor Weber, of Berlin, who bases his opinion upon the evidence of some Roman writers of the Empire, and upon a Kawi version of some books of the poem, recently discovered on the island Bali, near Java. The more probable supposition is that the Mahabharata, as we have it now, was redacted some time during the last centuries preceding our era, and that the work was undertaken by the Brahmins as a defence against their rivals, the Buddhists, whose increasing influence and power were in no small degree due to their voluminous writings, and whom the old sacerdotal caste thus sought to combat, by collecting and arranging in one work all the old legends and traditions of the Aryan race that might throw *éclat* around their history and advance the future movements of their polity. This supposition accounts completely for the observed inequalities of style and contents of the work, portions of which only are of the primitive period, while a host of others, although interblended with them,

belong to several different epochs, some of quite an ancient, others of a comparatively recent date.

The veneration attached by the Hindus themselves to their great national epopee was never excelled by that of any other sect or nation for their sacred writings. We have already seen this from the definition of its title, and the cause of it may, to some extent, be perceived from the following statement of Madhava, a writer of the fourteenth century of our era. "We learn," says he, "from the sacred scriptures, that it is a disgrace for women and the *Sudras*" (i. e. the masses), "who have not received the investiture of the sacred cord, to read the Vedas. Now, if this be so, how then shall these two classes of persons become acquainted with the way to future happiness? We answer, that it is through the Puranas and other works of the same category. It is on this account that it has been said, that, as the Vedas cannot be comprehended by women and *Sudras*, Vyasa, from motives of benevolence, composed the Mahabharata to remedy the evil." The book, we perceive, was thus looked upon as the gift of a divine charity, intended for the benefit of all classes of the nation,—for the weakest and the humblest as well as for the learned, the opulent, and the powerful. The mere reading of the work was therefore regarded as an act of piety and faith, and claimed as such by Vyasa himself, or by his representative, who, in his exordium to the work, makes allusion to it several times, and in language like the following: "The true believer, who shall constantly listen to the reading of this section from its beginning, shall never fall into any kind of misfortune..... The reading of the Bharata is sacred; all the sins of him who reads but a portion of it shall be obliterated without exception..... The body of the Mahabharata is truth and immortality..... He who in faith shall persevere in listening to the recital of this sacred book, shall obtain a long life, great renown, and the way to heaven."

The poem under consideration is, as we have already seen, commonly referred to the epic kind, although it is far from corresponding with any one of those of the same class known to us from the Greeks and Romans. Everything is here on the extravagant scale of Oriental proportions, and the thread

of the action is not unfrequently almost entirely lost amid the exuberant multiplicity of accessories and details. Hence it comes, that, while the spirited descriptions of its battles remind us of the Iliad and the Thebaid, the extremely romantic adventures make us no less often think of the Odyssey, while the multitude of its curious legends draws on our poetic faith to even a greater extent than the Metamorphoses of Ovid or the miraculous stories of the Middle Age.

The subject itself is simple enough, however difficult it may be at times to follow the tortuous deflections of its labyrinth. It is the long and sanguinary conflict between the Pandavas and the Curavas, all of whom are either cousins-german or brothers, the rival branches of the lunar dynasty of the Bharatides, which once had its seat in Hastinapura, the ruins of which are still visible in the vicinity of Delhi. The founders of these branches are the two brothers Pandu and Dhritarashtra, here represented as the sons of Vyasa, the supposed author of the poem. Of these two brothers Dhritarashtra was the elder and had one hundred sons, while Pandu had only five, who are, however, here spoken of as personages of such distinction that their real origin is attributed to no less august a source than that of five divinities. Pandu died early, and his sons, after arriving at a certain age, were adopted by their uncle in order to complete their education with their cousins. For some cause or other, Dhritarashtra after a while invited the eldest of his nephews to share the responsibilities of his government with him, and appointed him heir presumptive.* This unaccountable partiality naturally bred jealousy among his many sons, so that the latter began to vex and persecute

* Philibert-Soupé (*Revue Contemporaine*, Vol. XLII. p. 297) makes Pandu the elder of the two brothers, who from some motive or other relinquished his throne to Dhritarashtra, without, however, surrendering the right of succession due to his five sons. The sons of Dhritarashtra then, unmindful of the favor bestowed upon their parent, begin to harass and exile the Pandavas, and this gives rise to the war in question. But this account, if sustained by any of the documents, stands in glaring contradiction with the subsequent development of the action, and cannot therefore be admitted as correct. Christian Lassen, on the other hand (*Indische Alterthumskunde*, Vol. I. p. 633), maintains that Dhritarashtra does not really become king, because he was born blind; nor Vidura, the youngest, because he is the son of an inferior mother; and that the Pandavas are therefore the real heirs to the throne, and their uncle only a sort of natural tutor.

their cousins, the Pandavas, in every possible manner; and this quite natural hate gave rise to the war, the long and varied course of which constitutes the action of the poem. After an interminable series of strange incidents, of wanderings, and of battles, in which at sundry times no less than eighteen armies figured, the Pandavas, the injured party, obtained at last the victory on earth and admission to the supreme felicity of heaven. Such, then, is briefly the outline of the argument of the epos before us. The events here spoken of are doubtless of a legendary character, but it is nevertheless almost a certainty that they are founded upon a real historical basis, in the rivalry of two royal houses of the Aryan race, and in a bloody conflict by which, at a remote period, the soil of Bactria and of the North of India was desolated. The conclusion more especially bears evidence of sacerdotal influence, and has, like a multitude of other facts and incidents, suffered from the poetical license of the caste in whose interest the epos was compiled. We must not omit to add, however, that, as far as the legend is concerned, the memory of the sons of Pandu has kept itself alive from generation to generation until the present time, and that, contrary to every scientific hypothesis, the inhabitants of the Peninsula still do not hesitate to refer to the reign of these princes the sculptures of the temples at Ellora, the curiosities of the grottos of Elephanta and Salsette, and all the remaining monuments of a style of art and of a civilization swept away ages ago.

The Mahabharata is, as we have already said, divided into eighteen books or cantos, of which each is, in its turn, subdivided into sections and lessons; and of these many are so loosely linked to the movement of the fable, that one is not unfrequently in danger of losing one's way entirely, without a guide. These Books we now propose to pass briefly in review, giving, in the first place, a concise sketch of the progress of the action, and adding here and there an outline of such of the accessories as may serve to fetch out some of the more salient characteristics of the epopee.

The First Book commences, like many of the Byzantine and mediæval Latin chronicles, with a number of preliminary amplifications, the most valuable of which is perhaps the versi-

fied table of the contents of the work prefixed to it.* We are then treated to a complete theogony, to the creation and history of the gods, the number of which is claimed to be no less than 36,333, and to a variety of fantastic mythological legends, most of which, however, are of more value to the archæologist than to our present purpose. After this genealogy of the gods we are naturally next introduced to that of the heroes of the epopee themselves, and this, together with an account of the origin of their rivalry and of the first phases of their quarrel, occupies the remainder of the canto.

The *rishi* Vyasa, the father of the heroes and author of the work, was, we are told, the grandson of the celestial nymph Adrika, the son of the sage Parasara and of Adrika's fair daughter Satyavati; he was born on one of the islands of the Yamuna, and thence also named Dvaipayana, or "son of the island." To save the dynasty of Hastinapura, to which in second marriage she had become allied, his mother, Satyavati, having lost her own sons by her second royal consort, directed Vyasa to sue for the hand of Ambika, the daughter of the king of Benares, and the widow of his brother. Vyasa obeyed, and Ambika bore him two sons, of whom the first was Dhritarashtra, blind from his birth, and the second Pandu, affected with the white leprosy. A third son, Vidura, whose mother was a maid, could not aspire to the privileges of the rest, although naturally sound and of superior endowments.

Through the influence of Bhishma, his grandmother's royal consort, Dhritarashtra, in spite of his blindness, obtains the hand of Gandhari, the daughter of Subala, the king of Kandahar. The young queen makes a solemn oath of fidelity to her new husband; and such seems her attachment to him that, when the venerable Vyasa is present on a visit, she asks it of him as a special favor, and as her reward, that he should procure her a hundred sons precisely like her husband. The *rishi* cannot refuse; and by means of an artificial process, the details of which we need not here repeat, he after a while succeeds in accomplishing what the alchemists of the Middle Age so often

* Of this First Book we have, besides the new translation of M. Fauche, partial versions, and other valuable contributions, from the pens of Wilkins, Bopp, Eichhoff, Franck, Pavie, and Foucaux.

and so fruitlessly attempted, and the queen is presented, not only with her hundred sons, but with a daughter to boot, all of them of the same age, all of them flesh of her own flesh. The name of the one who passed for the eldest was Duryodhana; that of the daughter, Duhsala; and the brothers subsequently became known as the Curavas.

The conjugal adventures of Vyasa's other son, Pandu, were no less wonderful than those of his brother. Pandu married two wives, of which the one was Kunti, the other Madri, both of them of royal descent, and the first already possessed of a son from the divine Aditya (the sun), by the name of Karna. One day, while out hunting, Pandu by an accident killed, according to some, a Brahmin, according to others, a pair of sacred gazelles; and this crime brought on him a malediction and the punishment of impotence. Pandu, in his despair, retired to the forests of the Himalaya with his two wives, and there was soon relieved of his distress by miracles. By dint of certain magic formulas, obtained from her old lover Aditya, Kunti came into the possession of the power of at pleasure calling to her aid the intervention of any divinity she chose, and it was thus that she bore her husband three sons; from Yoma, the god of justice, she had the honest Yudhishthira; from Indra, the god of the air, the valiant Arjuna; and from Vayu, the god of the wind, the impetuous Bhimasena, who afterward acquired the surname of Vri-Rodara or "Wolf-belly." With all this Pandu was so well pleased, that he solicited the same favor for his second wife, Madri, who, after her invocation of the Newins (the *Gemini* of the Hindus), bore him two sons, Nakula and Sahadeva, both of them handsome youths, swift on foot, and ardent in combat. Pandu was now the father of five sons; and so beloved was he of his two consorts, that when, some time after, he died, they disputed with each other the honor of perishing with him on his pyre. Madri carried the day, and in her dying moments she left her two sons to Kunti, who in the subsequent parts of the poem figures frequently as the only maternal representative of the family.

The earlier years of the Pandavas were spent in retirement from the world, in the society of pious hermits and of their

mother, Kunti. But they had no sooner arrived at the age of adolescence than they were transferred to Hastinapura, where, after some tests of their legitimacy, Dhritarashtra, who was now already on the throne, consented to recognize them as his nephews, and allowed them to be educated with his own sons, whose tutor at the time was the venerable Drona, a Brahmin versed alike in the knowledge of the sacred texts and in the art of war. The old Brahmin had recently come to the court to rouse it to war against Draupada, the prince of Panchala, one of the companions of his earlier studies, from whom his honor had received a wound which in his estimation merited punishment. His new students made rapid and brilliant advances in every art he undertook to teach them; but the seeds of jealousy soon sprung up among the young cousins. For the Curavas were as haughty as they were valiant, and they expected to be the rulers; while the Pandavas were more or less looked down upon.

The secret spite was fanned into a blaze of open animosity by an incident which owed its origin to the vanity or imprudence of old Drona. He hit upon the unfortunate plan of instituting a grand tournament, for the purpose of testing the comparative agility and courage of his young pupils. The description of this occasion is animated enough, and incessantly reminds us of Homer, of Virgil, and of many a chivalric encounter of the Middle Age. A vast amphitheatre is raised, the immense tiers of which receive the eddying multitude of warriors and priests, of merchants and of people. The throne is occupied by the blind old king himself, with his faithful Gandhari, his other women, his ministers and courtiers by his side, while the old preceptor Drona, whose white beard, hair, and sacerdotal robes render him an object of special veneration, acts as the *antistes* of the sacrifice. The blind monarch keeps himself informed of every movement of the scene, while Kunti, the mother of the Pandavas, is likewise on the alert, and moved to tears when she witnesses the entrance of her sons hailed with immense popular applause. The chariot-race, the combat with the scymitar and sword, and trial of skill with the bow and arrow, constitute the diversions of the heroes. A club duel between Duryodhana, the eldest of the Curavas,

and the gigantic Bhimasena, would have become mortal, had not Drona's son been ordered to separate the combatants. The final scene is one of really dramatic interest, although we have not room to sketch it here in full. Karna, the son of Kunti and the Sun, steps forward to defy his half-brother, the royal Arjuna; but his legitimacy is contested, and Duryodhana has first to raise him to the rank of king. He is, however, no sooner consecrated, than an old coachman emerges from the crowd to claim him for his son. Karna is thunderstruck, and his chagrin is doubled by Bhimasena's defiant taunts, who abuses him, until Duryodhana, to justify his act, with angry retort calls his antagonist to order. This tournament and its direct consequences constitute the commencement of the hostility between the two branches of the royal family, concerning which we may here in advance remark, that the caste of the warriors (i. e. the *Kshatriyas*) and the inhabitants of the cities are manifestly on the side of the Curavas, while the Brahmins, the hermits, and the rural people are on that of the sons of Pandu.

After the successful completion of a war of vengeance, undertaken to gratify Drona's wishes, the old monarch, sensible of the weight of age and of his blindness, offers to divide his power with Yudhishthira, the eldest of the Pandavas, and expressly nominates him heir presumptive. This partiality for his nephews is far from being grateful to his already irritated sons, and Duryodhana especially now puts in motion a thousand machinations to exile and destroy his obnoxious kinsmen. With a number of specious representations he at length prevails upon the aged king to consent to a removal of the Pandavas and their mother to a delightful spot on the banks of the Ganges, where he says he has directed one of his confidants, Purotshana, to provide them with a sumptuous mansion. He has, however, secretly ordered the palace to be fitted up with a variety of combustible substances, ready to take fire instantaneously at any moment. The five exiles, with their mother, have no sooner finished the long journey and taken possession of their new abode, than they at once perceive the danger, and prepare to meet it. A miner, sent after them by their devoted half-uncle, Vidura, is engaged to excavate a subterraneous passage, through which, in case of accident, they might

escape without observation. But they do not even wait for the accident to happen; they invite Purotshana, with his adherents, to a brilliant entertainment, and when the orgies of it had commenced, they themselves set fire to the house, and then adroitly take to flight, leaving their enemies alone to perish in the conflagration, although the rumor of it, reaching Hastinapura, reports them likewise dead, and induces Dhritarashtra to offer expiatory sacrifices on their behalf. In this flight the valiant Bhimasena acts a part similar to that of Æneas at the fall of Troy. With Kunti on his shoulders, two of his brothers in his hands, and two around his loins, he forces his way through every obstacle with the rapidity of the wind, until they arrive safely on the banks of the river, which they then at once cross in a bark provided for them by the vigilance of Vidura.

The fugitives at first pass along the Ganges, but, afraid of treacherous pursuit, they soon plunge into the heart of the densest forests, where, after some wanderings, they finally again reach the sacred solitude in which the five princes had spent their earliest years. Exhausted by the long hardships of their flight, they all of them lie stretched upon the ground asleep, except Bhimasena, whose vigilance will not allow him to repose. And that this precaution was not ill-timed is soon made evident by the appearance of a danger which might have proved destructive to the entire company. The spot happens to be infested by one of the giants or ogres of old India, whose aspect, size, and strength are described as most terrific. Bhimasena is first accosted by the ogre's sister, who has the same name as her brother,—Hidimba. She no sooner lays her eyes on the young hero than she becomes passionately enamored of him, and advises him to flee, offering to convey him and his friends with magic through the air to some distant place of safety, provided he would agree to accept her favor. But Bhimasena is not the hero to shrink from an antagonist of any sort; and Hidimba no sooner shows himself than he meets him in an encounter far more desperate than that between Alcides and Antæus. Repelling the assistance of the enamored giantess, and of his brothers, whom the fray roused from sleep, he alone fights the howling monster, flooring him, not thrice, but no less than one hundred times, and finishes by tearing

him entirely to pieces. The Pandavas then triumphantly resume their journey; but their footsteps are pursued by the ogress, who cannot bear to lose the hero in possession of her heart. Bhimasena desires to dismiss her without more ado, until Yudhishthira interposes in her behalf, and she finally prevails by addressing a most touching appeal to the mother. It is agreed that the Calypso should have her lover for a given time, and Bhimasena, after some reluctance, follows her to a retreat beyond the mountains, where they then spend a period of ephemeral happiness. When the hour of parting has arrived, the giantess leaves with regretful sighs, while the Aryan hero returns to his friends to resume his journey.

Hidimba is not the only ogre destroyed by our valiant Pandavas. For, as they continue their journey from forest to forest, they never fail to halt wherever they find a hermitage, and the anchorites always receive them with distinguished honors, expecting in return their aid for the removal of dangers. They thus deliver their pious hosts from the assaults of a number of *raksharas*, and Bhimasena has another desperate encounter with a formidable anthropophagus by the name of Vaka, whom he demolishes as he did Hidimba.

The wanderings of our fugitives are suddenly interrupted by the intelligence of a *Swayamvara* expected to take place at the court of one of the monarchs. This was a festival instituted by the old kings of India for the benefit of a young princess on her arrival at a marriageable age, and for the express purpose of giving her a chance to select her husband. On this occasion it is Drona's old fellow-student Draupada, the king of Panchala, against whom the Curavas had recently been to war, that invites to court in behalf of his fair daughter Draupadi. The young Pandavas cannot resist the temptation of so fine an opportunity for the display of valor, although attended with some risk; and they at once proceed towards Panchala, disguised as *brahmatcharis* or students of divinity, to prevent discovery. On their arrival in the city they lodge and live in the humblest manner, begging their bread, so that not even their cousins, the Curavas, who had likewise responded to the invitation, could recognize them. The scene is represented as one of the most gorgeous magnificence, and there is an un-

interrupted series of diversions for sixteen days. At the end of this time the fair princess at length makes her appearance, sumptuously robed, covered with jewels, and on her head a diadem of gold. After the customary sacrifice, Drishtadyumna, the brother of the princess, amid the sound of instruments and drums, advances to announce the trial and the prize. He points to a mark high suspended in the air, then to some arrows on the ground, and to a bow which is so inflexible that none but the most sinewy arms can ever dare to manage it. The mark is to be struck by five successive darts; and the successful archer, provided he be otherwise acceptable, — that is to say, noble, handsome, and brave, — is at once to have the fair Draupadi for his reward. He concludes by enumerating to his sister all the chiefs present, with their genealogy and achievements.

The contest is one in which, as in Homer, the gods themselves take pleasure, among them Krishna and Rama, who are inclined to favor the sons of Pandu. The trial has no sooner commenced, than nearly all the chiefs are in succession subjected to most cruel disappointment from inability to bend the bow, on which they expend a multitude of breathless efforts to no purpose. Karna alone is likely to succeed; but when he hears the haughty Draupadi exclaim, "I shall never choose the man of equivocal birth!" the bow drops from the hands of the unfortunate hero, now again outraged. Several other princes try, and fail, like those before them, until at last Kunti's second son, Arjuna, comes forward, handsome and brave, clad in the costume of a novice. His appearance piques the curiosity of the Brahmins immensely, and they are breathless between hope and fear. The young brave then advances, invoking the gods and saluting the enchanted bow with respect, which he bends without much difficulty, and, grasping the five arrows, he transfixes with unerring aim the mark. The Brahmins tear their garments with amazement and delight, the musicians and the bards celebrate the victory, nay, the very vault of heaven opens, and a shower of flowers descends! Draupadi, smiling, then approaches the victor, places a wreath upon his front, and follows him as he retires. The victory, however, gives rise to a most amusing, although sav-

age, scene of violence. The warrior princes are furious at being thus defeated by the obscure disciple of the priests, and even meditate revenging the affront, talking of nothing short of murdering their host together with his son, and of consigning the daughter to the flames. A battle ensues, similar to that of the Centaurs and the Lapithæ, in which the Pandavas are again made to confront their cousin-enemies among the rest. The latter, it is true, are vastly superior in number; but the noble sons of Pandu, besides being applauded by the Brahmins, are supported by the gods Krishna and Rama, so that the contest does not long remain doubtful. On this occasion Karna and Bhimasena again render themselves conspicuous, and the Curavas, with their allies, are soon obliged to admit themselves vanquished, and, crestfallen, retreat to their respective countries. The Pandavas then return to the spot where they had left their mother, bearing with them Arjuna's fair prize, who from that moment is admitted as a sharer of their wanderings, and the consort of the five brothers.*

Among the episodes presented by the rich canvas of the First Book, there are a number which in this cursory survey we have been obliged to pass over; but there is one which links itself too closely to the fable of the poem to be left entirely unnoticed. It is the naive and touching story of Sakuntala, which at a later date becomes the basis of Kalidasa's drama of that title. The legend, however, is here of a much more primitive and simple type, and the lost ring does not occur among its accessories. The monarch espouses Sakuntala simply because he is touched by her virtue and her amiable qualities. Their valiant son, whose exploits subsequently render him illustrious, is here represented to be none other than Bharata, the ancestral sire of the heroes of our epopee, in the title of which the poet deemed it proper to perpetuate his memory.

* That polyandria, however, was not really among the customs of old India is manifest from the fact that Vyasa explains this exception to the general rule from the circumstance, that Draupadi, formerly the daughter of a *rishi*, had been predestinated to have five husbands after her next birth. Unable to obtain a husband, the young lady, with a series of penances, prevailed on Siva to allow her a petition for a favor. When this was granted, she asked for a husband possessed of every virtue. To her misfortune, however, she pronounced her prayer five times, and was on that account doomed to have five consorts in her next state of existence. Lassen's *Indische Alterthumskunde*, Vol. I. p. 642.

The Second Book is replete with stirring incidents, all of which link themselves closely to the progress of the action. The scene opens with the success of the Pandavas, but this is soon followed by reverses, and ends with a most shameful catastrophe.

The acquisition of Draupadi brought the Pandavas into intimate relations with the court of Panchala, and they also became allied with Krishna, the king of Mathura, not unfrequently confounded with the divinity of that name, but here represented as one of the most valiant and brilliant princes of the age. Almost at the same time Dhritarashtra, too feeble to manage his affairs any longer, adopted the impolitic expedient of dividing his states among the two branches of the royal house. By the terms of this partition, his hundred sons, the Curavas, were to keep the kingdom of Hastinapura along the banks of the Ganges, while the five nephews were to occupy the territory along the Yamuna, with Indraprastha for their capital. The latter are no sooner in possession of their portion than they begin to extend their conquests in every direction, — Nakula and Sahadeva north and south, Bhimasena in the east, and Arjuna westward. During these expeditions Arjuna more especially displays proofs of valor by immolating the king of the Tshedi, and by carrying off and marrying the youngest of Krishna's daughters, the lotos-eyed Subhadra. He then enters the forest of Khandava, where he offers sacrifices to Agni, the god of fire, and receives from him the bow Gandiva,* two quivers with arrows, a chariot, and every sort of magic arm. The new kings of Indraprastha enjoyed the reputation of being just and brave, and lived happy and respected. To augment the honor of his family, the eldest of the number, Yudhishthira, announces a *radjasuya*, a solemn public sacrifice, at which the suzerains of the East were accustomed to exact the oath of vassalage of their tributary princes. At this ceremony, which was numerously attended and of the most pompous description, the eldest of the Curavas, Duryodhana, was likewise present, devoured by jealousy at the sight

* This bow has here a proper name, like the swords of some of our mediæval heroes, the *Balmung* of Siegfried, the *Joyeuse* of Charlemagne, the *Durandal* of Roland, the *Colada* and *Tizona* of the Cid, &c.

of so many chiefs submitting their homage and of such varied and brilliant magnificence as was displayed on the occasion. He witnesses his rivals crowned, obeyed throughout the whole of Central India, dreaded from sea to sea, and, what is worse than all, supported by no less than two hundred thousand Brahmins. The thought of this robs him of all joy and even of his sleep, until, after his return, he finds some relief from consultation with one of his confidants, Sakuni.

The astute counsellor is no sooner apprised of the chagrin of his master, than he offers to relieve him by inveigling his rival into the chances of a game of dice, at which he feels himself so expert that he is sure of his ability to win away from him whatever he may now possess calculated to rouse jealousy and envy. The plan, although opposed by blind old Dhritarashtra and by the noble Vidura, is nevertheless adopted, and the game is agreed upon by both parties. The occasion proves to be a most unhappy one for the unfortunate Yudhishthira. An evil genius seems to have taken possession of him, and he risks his chances with a recklessness that borders upon madness; while, according to the custom of the age, his adversaries strain every nerve to excite and to mislead him. In this state of frenzy the infatuated monarch gambles away successively, not only his bracelets, rings, and other personal ornaments, his palaces, his immense riches, including the most costly jewels, but also his noble brothers Bhimasena and Arjuna, his half-brothers Nakula and Sahadeva, and last of all, like one of the ancient Germans, his own liberty to boot! When all is lost, Sakuni, who here acts the part of a sort of Mephistopheles, coolly reminds his opponent that he has one more precious object left to risk, — his queen, the beautiful Draupadi. The insane prince stakes once more, and when he loses the last game too, the elders of the people veil their faces and murmur, as if they were witnesses to an act of sacrilege. The fair princess is now the property of Duryodhana, and is soon sent for through his charioteer. But she in anger and in tears, half nude and with dishevelled hair, refuses to quit the hall until she is dragged away by force. In the *mêlée* one of the Curavas uses rude violence, which would have deprived her of all covering for her person had not a miracle from heaven inter-

posed by investing her with a magic robe that could not be torn away from her. The scene rouses Bhimasena's just indignation, and his menaces of vengeance are so terrible as to require the blind old monarch's intervention, who promises the outraged heroine every satisfaction she may ask for. She contents herself with the modest demand of her liberty, including that of her five royal consorts, and to this there is no objection. They are permitted to leave, but are not allowed to carry anything away with them except their chariots and their arms. Before quitting, they unfortunately delude themselves into the offer of a second game of dice, in which, however, they are again beaten, and this time without the hope of any redress. Their doom is settled. They are at once to leave the kingdom, to live in exile for twelve years, and to spend the thirteenth year without discovering their rank or claiming recognition from any one. Thus ends the Second Book, which, although not free from much that our taste cannot approve, yet contains passages that would lose nothing in comparison with the most admired portions of the most famous epic poems.

The Third Book is a long *hors-d'œuvre* in the action of the poem, presenting to us scarcely anything else than a multitude of episodes and legends, some of which, however, are characteristic enough, and interesting from more than one point of view.

Deposed from their late regal magnificence, the five exiled heroes, with their mother and their consort, wander now again from forest to forest, as poor and deserted as they ever were before. They are, however, this time followed by no less than one thousand Brahmins, who support them by their alms; and they appear to have now no other care than that of visiting the most venerated places of pilgrimage, where they may listen to pious hermits, and sometimes even to divinities incarnate in human form, who recount to them miraculous histories and legends. In connection with these pilgrimages we have more especially to notice two of the five brothers, — Arjuna and Yudhishthira, — the former on account of his marvellous adventures, the latter on account of the curious legends related to him by one of the anchorites, the priest Lomasa.

To acquit himself of his religious obligations the brave

Arjuna directs his solitary course northward towards the summits of the Himavat, passing through the densest of the forests, the impenetrable mazes of which he finds peopled with every variety of animals and birds, and frequented also by a multitude of fairy beings, or *genii*. He is scarcely in the sombre bosom of the solitude when his ear is suddenly struck by the sound of shells and drums from heaven; his eyes witness a shower of flowers descending, and the clouds gathering themselves up into the shape of a huge curtain in the air; the trees incline themselves before him, the brooklets flow murmuring by; while peacocks, swans, and herons greet him with their joyous cries. The magic scene before him produces no other effect than that of stimulating him to still greater austerities than he had resolved on practising before. His limbs covered with the coarsest habiliments of the ascetic, he surrenders himself to a series of the most rigid mortifications, living on nothing but dry leaves with at intervals a little fruit; and this already slender diet he keeps diminishing until, by the end of three months, he feeds on nothing but the air. Besides all this, he keeps his body balanced for a long time in painful attitudes, and, in short, omits nothing in exacting of himself the severest of all penances. It was a belief current among the Aryans, that in a series of such self-inflicted castigations a man might reach a certain point at which he could draw a saint or even a divinity from his seat, or exchange places with him; and they were wont to address their prayers especially to Siva to that end. And this was really the case with Arjuna at this time. For while he is in pursuit of a demon by the name of Muka, who in the shape of a wild boar had advanced to injure him, Siva, under the form of a huntsman, makes his appearance and transfixes the animal with his spear. The dead beast, however, unfortunately gives rise to a quarrel as to which of the two heroes the booty belongs to, and Arjuna assails the strange hunter with every artifice at his command. But he soon finds himself combating an adversary of no common sort; all his efforts are expended to no purpose, until he finally sinks bleeding and exhausted on the ground, where he sleeps for an entire hour. On awaking he, to his amazement, perceives the divine Siva, surrounded by his glorious retinue; whereupon the god

advances to caress and flatter him, and makes him a present of his own trident. Presently several other divinities — Varuna, the god of the seas, Kubera, the god of riches, Yama, the god of the dead, and Indra, the god of the sky — appear to him in a similar manner, and present to him, one after the other, a variety of magic arms, which are to assure him the victory in the great conflict pending between his family and the Curavas.

But this is not the only one of Arjuna's adventures recorded by the poet. A still more remarkable one is a journey to the ethereal mansions, to which his divine sire, Indra himself, invites him, sending his charioteer to convey him through the air from the peaks of the Mandara to his celestial residence, Amaravati.* The aerial journey, the appearance of the divine city, and the hero's magnificent reception are described with all the eloquence and gorgeous imagery peculiar to the Orientals. In this description the mountains of India figure as sacred, precisely like those of the Hebrews and the Greeks. The Himalaya and the other peaks of the immense chain served not only as the ordinary retreat of anchorites, of priests in meditation, and of monarchs in disgrace, but they were regarded by the popular imagination as the resort of the gods and as the sacred asylum of the virtuous dead, and were the frequent objects of pious visit, and of fervent prayers. It was from these peaks that the souls of men, in their process of gradual purification, were supposed to ascend on their journey towards the successive spheres of the moon, the sun, and of the Supreme Being, which was the limit of their aspiration after beatitude.

While Arjuna is thus occupied with his illustrious adventures, his elder brother, Yudhishthira, the late victim of his ruinous passion, spends his time in the society of a priest by the name of Lomasa, patiently listening to a series of marvellous stories. The personages who figure in them are, nearly all, either divinities, demons, kings, or Brahmins, and they are in their character as eccentric and fantastical as any-

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* Of this episode we have a German and a Latin version from the pen of the distinguished Bopp.

thing in Oriental literature.* Such are, for example, the legend of Ilvala and Vatapi, two evil *genii*, combated by the venerable Agastya, the founder of one of the oldest and most celebrated hermitages; that of a conflict between two Ramas, both of them incarnations of one and the same god, Vishnu, — but one of them a warrior, the other of sacerdotal rank; that of the demon Vritra, annihilated by the bolt of Indra in a fierce general battle between the demons and the gods, similar to that of Jupiter and the giants among the Greeks; that of the miraculous descent of the Ganges, which, we are told, owes its origin to Ganga, the daughter of Himalaya, and nymph of the celestial waters, prevailed upon by the prayers and penances of the royal Bagiratha to fall from heaven and to assume the course of the celebrated sacred stream of India; and, finally, that of the metamorphosis of Indra and Agni, the gods of the air and of fire. The last of these legends is too curious and pleasing to be omitted here. It so happened one day that Indra and Agni conceived the idea of disguising themselves, for the purpose of finding out who was the best of men. They accordingly descended and entered the palace of a king by the name of Sivi, — the former in the shape of a falcon, the latter in that of a pigeon. The pigeon, pretending to be frightened by the falcon, sought refuge in the lap of the king, who generously protected it against the assaults of its enemy; while the falcon, on the other hand, imperiously claimed his victim, although to no purpose. Sivi offers him, instead of it, a bull or a boar, a gazelle or a bison, but the falcon insists on having the pigeon and nothing else. The prince, whose heart was one of the warmest charity for every creature, could not consent, and proposes to surrender to him, in exchange, a portion of his own flesh equal in weight to that of the pigeon. The bargain is accepted, and Sivi with a knife himself cuts out a piece of his own body. It is, however, found too light. He cuts out another lump; and when this again turns out to be too little, he puts himself entire into the scales, bleeding and mutilated as he is. The trial is pronounced decisive; the two divinities

* Of these stories we have French versions from Pavie and Foucaux. The legend of Ilvala and Vatapi occurs also in the *Ramayana*.

have now incontestably discovered the best of men. They thereupon reveal themselves, and Sivi receives their benediction, with the assurance that he shall live forever both in the memory of men and in the abodes of heaven. In regard to the first two of these legends, it is here not out of place to add, that they manifestly relate to the earliest history of India, the southern part of which was primitively an immense forest, where the Brahmins went to establish themselves as anchorites, in advance of the rest of their race, precisely as in the Middle Age the Christian monks occupied and cultivated so many solitary spots, not reached yet, or not cared for, by the secular tide. The ogres and demons spoken of as perpetually devouring the priests and interfering with their sacrifices are the representatives of the indigenous tribes, who, as savages and cannibals, offered every species of resistance to the new civilization brought by the Aryan Brahmins, and who but slowly retreated before its advance.

The rest of the Third Book, although likewise composed mostly of episodes, offers us a few quite interesting threads of the story, which we now propose to collect, and then to take, in conclusion, a rapid glance at the remaining legendary parts of it.

Arjuna, in possession of divine arms, has triumphed over the *asuras* (demons), and has returned to the earth to make war upon a city in revolt. Meanwhile the beautiful Draupadi has been forcibly carried off by a hostile monarch; but the ravisher is soon pursued, and not only deprived of a portion of his defeated army, but branded with the disgraceful mark of slavery by the five injured brothers. The virtuous and faithful Draupadi thus recovered, the collected members of the family once more return to their sacred retreat, where they prepare themselves for a brighter destiny by listening with obsequious ear to many earnest lessons and touching stories from the lips of their pious allies of the sacerdotal order.

It happened one day that, while Yudhishthira and Bhimasena were rambling about the woods, the latter of the two brothers, after having combated with success every variety of monster, at last became himself involved in the folds of a mysterious reptile, which turned out to be one of their own kinsmen, Nahusha, the son of Ayn, metamorphosed into a

serpent for having offered an outrage to the sacerdotal caste. The monster, who here appears as a sort of sphinx, offers to release his victim, provided his brother would make satisfactory answer to certain questions; and this proposition gives rise to an extremely curious and subtile metaphysico-theological dialogue, in which Yudhishthira is subjected to severe examination. He is questioned concerning the nature of man, who, occupying a sort of middle ground between the divinity and the animal, can by his merits rise to a level with the one and by his errors degenerate into the other; concerning the five senses, and the seat of the soul with its three faculties, which is made to reside in the brain of the forehead; concerning some of the moral qualities which we should strive to acquire; concerning murder, veracity, charity, alms; concerning the condition of the real Brahmin, who is one by his virtues and his talents rather than by name or the privilege of birth; and concerning sundry other points. Yudhishthira's explanations are all of them judicious, and the test turns out to Nahusha's entire satisfaction. The latter then proceeds to give an account of his misfortune. He was once celebrated for his wisdom, and honored by the demigods, the *genii*, and the giants; but he became elated, and had himself carried about in a palanquin borne by a thousand priests. This insolence attracted the notice of the hermit Agastya, who cursed him and condemned him to take the form of a serpent; and this he was obliged to wear until delivered from it by the visit of the just and honorable prince whom he was now addressing. It thus happened that both Bhimasena and Nahusha found themselves released at the same time. Delighted with the recovery of his human form, the latter concludes his discussions with the following memorable words: "Sincerity, the mastery over our senses, the practice of austerities, of liberality and benevolence, the absence of injustice towards others, and a constant regard for our duty,— these, O king, are the qualities which constitute our worth, and not our caste or our origin."

Among the legends with which the pious hermits of the desert are reported to have entertained their royal visitors, there are three which now claim briefly our attention. They are the

episode of the deluge, that of the love of Nala and Damayanti, and lastly the no less naive and refined story of Satyavan and Savitri, — all of which have long since become known to us through the translations of Bopp, Milman, Burnouf, Pauthier, and Ditandy.

The Hindus were possessed of an account of a universal deluge, which in many respects is analogous to that of the Hebrews. According to their sacred texts, however, the world in its present state has already passed through seven different phases of existence, of which each was composed of seven ages, and each presided over by a *Manu* of its own, the representative and depositary of the divine power. The name of the first of these was Swayambhava, or "Son of the Self-existent"; that of the seventh, Vaivaswata, or "Son of the Sun," who is represented as at once a king, a sage, and a saint. Now it was during the lifetime of this last Manu that the cataclysm here in question happened; and he saves himself, precisely like Noah, in a vessel built by himself at the advice of a fish, which he had raised on his premises and let loose into the sea. The catastrophe lasted for seven long years, at the end of which the highest peak of the Himavat again became visible. Manu, with seven *rishis* and the fish, were the only living beings saved, and Brahma confers on him the charge of organizing and peopling the world anew.

The episode of Nala and Damayanti is known to us from several translations, and from Lamartine's eulogy in his Course on Literature, as one of the most naive and graceful narratives in Hindu literature. Nala was the handsomest of princes, an excellent horseman, pious, brave, successful at games, the commander of valiant armies, and admired by noble women. Damayanti, the daughter of a neighboring king, was a princess adorned with every accomplishment of nature and of art. Now it so happened that in her presence everybody spoke of Nala, and before the latter everybody celebrated the charms of Damayanti, and the result was that they became disposed to love each other without ever having met. Heaven intervened to foster the nascent sentiment, and marvellous swans flew fluttering through the air from one to the other, augmenting their mutual sympathy with messages. Presently, however,

the princess fell into a melancholy revery, and grew pale and languid. Her father, suspecting her trouble, summoned all the princes of the land to a *swayamvara* (public festival of betrothal), at which, among the crowds that flocked thither, Nala was determined not to be the last. While on the road, however, he accidentally met four divinities, Indra, Agni, Varuna, and Yama, who pretended to be likewise enamored of the young maiden, and charged him with the singular mission of transmitting to her their messages of love. Nala at first protests; but he is commanded to proceed, and cannot disobey. On his arrival, through the intervention of the gods, he obtains access to the apartments of Damayanti in advance of the rest of the competitors, and then delivers his message. But what is his surprise, when, struck with his appearance and mindful of the voice of her swans, she declares that she shall choose no other than himself! Nevertheless, delighted as he is, he yet asks her, for formality's sake, to accept one of the four divinities; for how could she reject addresses so august? But the virgin breaks out into tears, and vows that, although honoring all the gods, she could never consent to wed any one but himself. It is at last agreed to settle the matter according to the custom of the occasion; the four divine aspirants are to be invited precisely like the rest, and yet there shall be no impediment to her choice. On the appointed day, when all of them are assembled, the divinities resort to a new artifice, by all of them assuming the same features, — those of Nala. Now how could the embarrassed princess distinguish between five suitors so closely resembling each other as to show no difference? Trembling, she invokes the aid of Heaven, beseeching the immortals for a sign by which she might recognize the one she cherished above all others. Her prayer is granted; her eyes are opened, and she perceives a difference between her hero and the august competitors, so that her choice is made correctly, and the two lovers are henceforth inseparable.

On leaving, the four divine rejected suitors are nevertheless civil enough to honor the affianced with a variety of magic presents, and the nuptials are celebrated soon after. Nala takes Damayanti to his own kingdom, where they live happy, pious, and worshipped by their people. They have two children,

a son and a daughter, both of them fair as the day, as were their parents. Their felicity, however, does not last many years before it is interrupted by one of those terrible reverses for which the East was more especially remarkable. Deluded by two demons into gambling with his brother, Nala loses to the latter whatever he possesses, — his kingdom, his treasures, and his crown; all that he has left is Damayanti. Exiled by his pitiless brother, he takes refuge in a wild forest, where he becomes insane and ready to abandon the faithful companion of his life. His person changes, as well as his character, and he after a while enters the service of the king of Ayodhya in the capacity of equerry. Disconsolate and lamenting loudly, his virtuous and faithful Damayanti passes through the midst of a thousand dangers, until she eventually reaches the court of Tshedi, where she is provided with the means of returning to her father. Yet she is unable to forget her husband, however guilty; and to recover him she resorts to the strategem of announcing another *swayamvara* for her benefit. Nor is her hope disappointed; for among the many suitors present at the festival the king of Ayodhya makes his appearance, with his new equerry in his retinue. A recognition takes place, which is described with the most delicate touches of the most genuine poetry. Nala recovers his reason, his beauty, and his happiness; in short, he is entirely restored to his loving spouse. He is no sooner himself again than he meditates revenge. He demands another game with his brother, and this time he wins in his turn, regaining all that he had lost before; whereupon he reascends the throne which with fair Damayanti he had once so nobly occupied, and they live on calmly and contented.

Omitting the no less naive account of Satyavan and Savitri, we now pass on to an examination of the Fourth Book, which, though, like the preceding, not exempt from superfluous accessories, nevertheless considerably advances the action of the epopee.

The Pandavas were, as we already know, condemned to remain in exile for twelve years, and the end of this long term was now fast approaching. Aware of his new danger, their arch-enemy, Duryodhana, sends spies in every direction to dis-

cover trace of them, but to no purpose. They are living quietly concealed at the court of Virata, king of the Matsyans, whom they serve under assumed names and in various capacities. The royal Draupadi had here become the maid-servant Sairindhri; Arjuna, the eunuch Vrihannala, a dancer; Yudhishthira, the brahmin Kanka; Bhimasena, the cook Ballava; while Nakula passed for a groom, and Sahadeva for a herdsman. It so happened one day that the Curavas, in conjunction with the Trigartians, made a descent upon Virata's rich stock of cattle, and drove off no less than sixty thousand heifers. The enemy was at once pursued, but, to Virata's great distress, though the Trigartians are routed and dispersed, the Curavas remained in possession of the entire booty. The loss was an immense one when we recollect that nearly all these monarchs, like the Homeric, were nothing more than chiefs of clans, and that in most instances their cattle constituted the main source of their revenue.

Meanwhile the superintendent of the royal stables hastened to young Prince Bhumimdjaya, urging him to proceed at once to the aid of his struggling father and his men. But the crown-prince is a supercilious craven and a braggart, who, instead of instantaneously responding, only boasts of his ability to achieve a thousand wonders had he not lost his driver in a recent battle, without whom he says it would be idle for him to attempt to act. To meet this cowardly subterfuge the pretended maid-servant, Draupadi, enters, to inform him that the eunuch, Vrihannala, had formerly been charioteer to the heroic Arjuna, and that he perhaps might render him the same service. Bhumimdjaya has therefore, for honor's sake, to send for him; but the eunuch only appears to make excuses, alleging that he can scarcely be called a man, and that he knows nothing but dancing, singing, and playing on various instruments. The excuse, however, is not accepted; the courtiers and slaves at once proceed to clothe and arm him, amid a multitude of jests and laughter, and the royal poltroon is obliged to hasten with him to the field of battle. They have no sooner arrived at the place of danger than the young prince displays his real character. His hair stands on end when he finds himself in the presence of a formidable foe, without his

father, without soldiers, destitute even of a body-guard, and he knows of no other expedient than that of a hasty retreat. It is in vain that his charioteer expostulates, reminding him that base flight is unworthy of the memory of noble heroes, and that it is better to die combating than to desert disgracefully; he insists on the retreat, until the feigned eunuch, indignant at the cowardice, drops his false pretences, and proves himself possessed of consummate bravery. For as soon as the young prince has left his chariot and runs, his charioteer pursues him, seizes him by the hair, drags him back to his car, and, obliging him to take the reins, himself claims the place of combatant in his stead. The prince does not venture to object, and the enemy at a distance is filled with wonder at the novel spectacle of a man in royal apparel managing the horses, and of a dancer preparing to fight them. The eunuch, however, is not yet ready for action. He has first of all to fetch the magic arms of the Pandavas; and these are concealed in one of the trees of a lonely cemetery, where the five brothers had suspended them in a bag in shape and color resembling the envelope of a corpse, so that no warrior could touch it without rendering himself impure and losing his caste. They have no sooner reached the tree than the eunuch directs his late master, Bhumimdjaya, to climb up for the sack. On opening it they find poniards, scymitars, arrows, and bows, among others Arjuna's noble Gandiva, the present of Agni, the god of fire. The eunuch now explains to the prince some of the marvellous properties of the arms, until the latter stands amazed and stupefied; but when the former proceeds to assert that he is the brave and terrible Arjuna himself, and that he, with his four brothers and their consort, have been servants in his palace in disguise, Bhumimdjaya prostrates himself in homage before his recent slave, and acknowledges a miracle. The hero from the high seat of his chariot examines each one of his arms, and they all incline themselves in homage before him, and address him as if they were alive. He, in return, clasps them to his bosom, and vows that they shall ever remain the object of his tenderest regard. Then, grasping his trusty bow, he bends it rapidly, and sends an arrow sweeping through the air, which trembles as if agitated by a mighty

storm, while the earth beneath is shaken as if one mountain had been piled upon another. The spot where the missile falls is marked by a dazzling blaze, and it strikes with a noise that resembles Indra's thunder. The Curavas are convinced that Arjuna is awake again; and well might they be so, for their defeat is a most signal one. The royal parasol of old Bhishma, the most illustrious of their ancestors, has been struck and shattered; while their standard, which bore an ape upon a ground of gold, is likewise transfixed and tattered. The king of the Matsyans returns in triumph to his home, bringing back with him all that he had lost before.

King Virata, however, is as yet unacquainted with the secret of his success, and attributes his victory to the courage of his son, who in his turn suffers himself to be complimented, while Arjuna modestly keeps silent. Intoxicated by his triumph, Virata presently desires a game of dice with his minister of state, the Brahmin Kanka, who, as we already know, is the eldest of the five brothers, the royal Yudhishthira. The latter, recollecting what this game has already cost him twice, — his kingdom, his liberty, with that of all his brothers, — hesitates for a great while; but is nevertheless finally prevailed upon to accept. While the two are playing an altercation arises, in the course of which Yudhishthira, not satisfied with angry words, empties the dice-box into the royal face. The insult is a flagrant one; but a Brahmin is a privileged and sacred character. In short, the offended party begs the offender's pardon, and the matter ends without any further notice. Three days after, the Pandavas purify themselves and put on their most costly ornaments. The twelve years of their exile are now at an end, and they present themselves before the monarch, not, as heretofore, in the capacity of his servants, but with the noble air of the five fugitives with whose renown all India was filled. Virata, who meanwhile has become informed of what he owes Arjuna, cannot consent to allow him to depart without some compensation, and offers him his daughter Uttara in marriage. But the hero declines the proposal, partly because he is already married, but more especially because, during his long residence in the palace, he says he lived constantly in

the society of the young lady, who has become accustomed to look upon him as one of her masters. Nevertheless he does not hesitate to accept for his son Abhymanin the flattering offer which, from motives of delicacy, he is obliged to decline for himself; and it is agreed that this union shall form the basis of a permanent alliance between the Pandavas and the royal house of the Matsyans, — an alliance of which, in the next book, we shall see some of the consequences.

The Fifth Book contains an account of the preparations for the war which both the Pandavas and the Curavas insist on pursuing, notwithstanding several attempts to produce a reconciliation. It also offers us some interesting vestiges of the religious philosophy of the old Hindus, and concludes with an enumeration of the forces.

One of the Oriental god-men, Krishna, who is represented as one of the incarnations of Vishnu, and prince of Dwaraka, has left his country after having killed a tyrant by the name of Kansa, who sought to destroy him. He stands in relations of consanguinity with the two rival families, and on that account comes to both their camps with a view to attempting a reconciliation. Already aware of what the future has in reserve for the contending parties, he accosts Duryodhana first, and offers him either his personal support or that of a considerable army. The latter stupidly prefers the aid of the army, and Krishna from that moment embraces the cause of the Pandavas, who are likewise sustained by the king of the Matsyans and the king of Pantchala. Shortly after, the blind old father of the Curavas, who still rules at Hastinapura, disapproving of the violence of his sons, sends to his nephews his equerry, Sandjaya, who eloquently advocates peace, but has to return without arriving at the contemplated result. The warlike preparations therefore now proceed on both sides as actively as they ever did before. Meanwhile old Dhritarashtra, as if he felt the hour of some great calamity at hand, assembles the wise men of his court to consult them concerning the interpretation of the Vedas, the consequences of virtue and of vice, the mysteries of creation and of a future life. In connection with this consultation we encounter the general elements of *yoguism*, an austere doctrine, more fully developed in the

next book, but here presented under a simpler and doubtless a much more primitive form. Its character is that of the complete absorption of man in the divinity by way of meditation. The *summum bonum* can never be acquired by good works alone, for they demand efforts which trouble the mind's repose. To attain to the desired result, it behooves us to isolate ourselves entirely from the world, to surrender ourselves to absolute silence, to annihilate in us all the impressions of joy or sorrow produced by praise or blame, and not to suffer the slightest perturbation of the mind. It is thus alone that we can arrive at the contemplation of the Supreme Being, which in this connection receives the name of *Bhagavad*, i. e. the "Ever-blessed One," and to whose praise the poet addresses a hymn of no less than forty stanzas, apparently of a very ancient date and quite obscure. While the old monarch is thus occupied with his Brahminic advisers, Krishna, whose pacific proposals to the Curavas had, as we have seen, been without success, proceeds to the camp of the other party, which has now come under his protection, and there entertains Yudhishthira by discoursing to him concerning the civil and military duties of princes. Nor has Virata, the king of the Matsyans, been meanwhile idle; he has assembled his council twice, while the Pandavas have been so active as to bring together no less than seven armies. The forces of their adversaries are, however, still more numerous and imposing, as Duryodhana, their chief commander, proudly passes them in review. The book concludes with a long enumeration of these forces, such as we find in one of the cantos of the Ramayana, and in the Iliad.

The Sixth Book is remarkable chiefly for the metaphysical episode to which we have just alluded, and which is extended enough to form a poem of quite respectable dimensions by itself. It bears, however, every mark of being of a comparatively modern date, and was probably incorporated into the primitive text not long before the time of its final redaction. In this episode the mystical doctrines advanced in the preceding book are developed more completely, and in so remarkable a manner as to have commanded the attention of some of the most eminent Orientalists and critics of England, France, and

Germany,* of whom some, as, for example, Schlegel, were formerly transported with admiration for the divine author of such ineffably sublime poetry. The time of dithyrambic eulogy is now gone by, and the subject is regarded in a calmer light. Nevertheless, the episode is still in more than one respect well worth consideration, and we cannot but regret that our limits will not permit us to give anything more than a few of the most salient characteristics of it. The manner in which it links itself to the *nexus* of the fable is in itself a curiosity, and is briefly as follows.

The two hostile armies are collected upon an immense plain. The air is already resounding with the din of conchs and drums; chariots are flying, arrows whistling, in every direction. In a word, the battle has commenced in earnest. Still the brave Arjuna is not yet fighting, although he has standing by his side no less illustrious a witness than Krishna himself, who on this occasion has consented to serve his cherished pupil as his charioteer and equerry. In glancing at the multitude of kinsmen, allies, and friends before him, divided by the war and destined to be united presently in death, the hero is suddenly seized by the pangs of melancholy; his limbs tremble, his mouth is parched, his hair stands on end, his skin is scorched with a burning fever; in short, he is cast down, and even his bow drops from his nerveless hand. Thus struck with horror at the thought of immolating any of his own, and willing sooner to fall himself, he resumes his seat upon his car, pale and disheartened, because it seems to him that justice and honor have made their exit out of the world. It is at this moment of despair that his noble ally, Krishna, by his side, informs him that he has but the appearance of being an earthly prince, and that in reality he is one of the incarnations of Vishnu, the Supreme Being, or the Bhagavad. Immutable though he is in substance, and the commander of the elements, he yet has the power to make himself visible to created beings; and whenever in this world virtue declines and vice

* We need only name, for England, Wilkins, Thompson, and Griffith; for France, Parrand, Chézy, Burnouf, Cousin, Saint-Hilaire, and Lamartine; for Germany, William Schlegel, William Humboldt, Hegel, Bopp, and Lassen; a list to which we must not omit to add the name of Dimitrios Galanos of Greece.

is triumphant, he, from time to time, assumes human form, and is born for the salvation of the just and the destruction of the wicked. He then goes on, upon the field of battle and at the very moment of the commencing conflict, to entertain his disciple with a variety of earnest lessons, discoursing to him concerning the vanity of all earthly things and the insignificance of human actions, — concerning the real nature of the soul and of the divinity, the obligations and the destiny of created beings, their migrations from body to body and from one sphere of existence to the other, until their final absorption in the bosom of the Infinite, or of Brahma. According to the divine teacher, the really wise man does not suffer his repose to be disturbed by either the living or the dead, the body being to him no more than the perishable envelope of an immortal intelligence, which constantly changes form and body, putting them off and on as we do our garments. The soul being thus indestructible, death cannot be looked upon otherwise than with indifference; and it is therefore the duty of the warrior to fight, regardless of all the consequences resulting from the fulfilment of his mission. His equanimity should not be troubled either by his reverses or his success, and his reason should under all circumstances remain equal to itself, and perfect. We must not imagine, however, that man should on this account waste himself in indolence; he must be active, and not dwell too much upon the consequences of his actions; he should be free, calm, self-denying, disinterested, curbing his desires and passions, pure in heart, devoted to the practices of religion, and not neglectful of his offerings to the gods. It is by a virtuous course like this that we can escape the greatest of all evils, which is to be compelled to return to life again, and can thus attain to the enjoyment of supreme felicity, to what the sages call *nirwana*, which some maintain to be a mere return to nothing, while others claim it to be a delightful union with God. Such is a brief outline of the substance of the *Bhagavad-Gita*, or "Song of the Blessed One," which, in spite of its numberless eccentricities, repetitions, and even contradictions, is yet remarkable enough to have merited the attention of the many eminent *savans* who have occupied themselves with it. As to the value of the doctrines advanced

in it, it cannot be denied that, although not destitute of many noble, nay, even sublime traits, they are yet liable to gross perversion, and that the abuse of them linked itself directly to the numberless absurd penances, and to the fanatical horrors of the pagodas and of the Juggernaut, formerly so frequent in the East.

The long lesson which Arjuna receives from his divine master is not without its effect; and we presently find him as active and invincible as ever in the long series of battles with the account of which the poet has filled no less than three Books, — the Seventh, the Eighth, and the Ninth. In this account, which is not exempt from a multitude of redundant accessories, and which is otherwise heavy and monotonous, we meet with a host of tableaux of heroes and heroic deeds, precisely as in the Iliad; while the frequent intervention of the supernatural powers, and the incessant employment of enchanted arms, remind us of the wildest romantic fictions of the Middle Age. The place which served as the theatre for these endless effusions of human blood was the plain of the Curus, in the vicinity of Delhi, a spot still celebrated among the inhabitants of India. The fighting lasted no less than eighteen days, and was interrupted only by the lamentations and the maledictions of the conquered. The Curavas are this time again the party that meets with the heaviest losses; they are, in fact, almost annihilated. For not only does the bloody conflict in rapid succession prove fatal to their grandsire, Bhishma, their military teacher, Drona, who is killed by treason, their royal friends and allies, Karna and Salya, — of whom the former falls under the sword of the brave Arjuna, the latter beneath the herculean blows of Bhimasena, — but all the male representatives of blind old Dhritarashtra, his one hundred proud and warlike sons, are, one after the other, ingulfed in the universal carnage; and the old king's equerry, Sandjaya, carries home the tidings of their death. Among their number was included the arch-enemy of the Pandavas, Duryodhana, the eldest of the brothers, to whose sinister instigations the war was mainly due. He attempted to make his escape, and would have succeeded had not the vigilance of his enemies pursued him. For when he saw his chariots

and his elephants, his foot-soldiers and his horsemen, disappear before him, as the snow vanishes beneath the burning sun, he fled from the battle-field, and sought refuge in the woods, where, we are told, he passed over a sheet of water, which became solid under his feet. But the watchful Pandavas are soon after him; and they no sooner discover him than they violently drag him back to the place of conflict. There they oblige him to fight his second club-duel with Bhimasena, in the course of which his adversary fells him, mutilating his head and person in the most revolting manner. The honorable and more humane Yudhishthira, although the brother of the victor, is shocked by the barbarity of the act, and expresses his disapprobation.

The Tenth Book has still further horrors to recount. It gives us a description of a nocturnal assault on the camp of the Pandavas, and of the cruel butchery connected with it; reminding us of similar scenes in Virgil and in Homer, and still oftener, by its terror and ferocity, of the *Eddas* and of the *Nibelungen.* We are also made acquainted with the last moments of Duryodhana, "the wicked warrior," as the poet makes his name imply.

The signal defeat of the Curavas preys on the minds of three of their most redoubted champions, and they meditate vengeance. They are Kritavarman, Kripa, and Drona's son, Aswatthaman. The last is more especially afflicted, and is determined not to rest until he shall have exacted due punishment of the murderer of his father, whom he knows to be Dhrishtadyumna, the king of the Pantchalians. It is true that he at first entertains some scruples about the consequences of a perfidy such as he contemplates; but he soon reasons them away, and is resolved to carry out his plan, even at the risk of being condemned to reappear in life in the shape of an insect or a worm. The expedition is therefore determined upon; and the three champions, with their chariots and arms, proceed towards the camp. But in their passage through the woods their course is suddenly arrested by a gigantic supernatural phantom, the appearance of which is described as most hideous and terrifying. The monster vomits streams of magic flames at them in every direction; and these flames

reflect, indefinitely multiplied, the form of Vishnu, the god of preservation. It is in vain that the intrepid Aswatthaman undertakes to combat an adversary like the one before him, who devours all the weapons launched at him, — his arrows, his sword, his war-club, and even his chariot-pole, — until the hero remains entirely disarmed. Reduced thus to despair, Aswatthaman can think of no other expedient than that of resorting to demoniacal arts. By fervently chanting a mystical hymn addressed to Siva, the evil spirit and the god of destruction, he summons him to his aid, and, like the Faust of our own legend, pledges him his soul in exchange. The bargain is accepted; and the god presently makes his epiphany in a display of hideous forms that leave the revolting spectres of the Brocken far behind them. The reader will excuse us from the details of the scene, which are altogether too fantastic to suit our Occidental taste. In a word, then, Aswatthaman has devoted himself to Siva, and the latter has taken possession of him, and has made him invincible. Thus fortified by supernatural agency, the hero at once proceeds; and first of all to the tent of Dhrishtadyumna, the murderer of his father, whom he finds extended on the most costly carpets, and fast asleep. He rouses him with kicks; then, seizing him by the hair, he knocks his head against the ground, and assails his throat and chest with such savage ferocity that the poor king, in spite of his desperate resistance, is soon crushed to death like a beast. The royal guard and the women have not recovered from their consternation before the fierce avenger has already fallen upon other victims, who in rapid succession, and by the hundred, pass from sleep to death, — soldiers, horses, and elephants all falling pellmell beneath the ruthless cuts and stabs of his sword and poniard. Even those who attempt to rouse themselves to a defence are so unfortunate as but to wound or kill each other in the dark. The terror of the scene is augmented by the flight of neighing horses and of frightened elephants. The victims who are lucky enough to escape from the hands of Aswatthaman fall into those of Kritavarman and of Kripa, who stand sentinels at the gates; and in this manner the carnage proceeds, until the camp is converted into a lake of blood. The slaughter has no sooner

subsided, than a multitude of ogres and vampires (the *rakshasas* and *pisachas* of the Hindus, which the poet here delineates as more terrific than the Cyclops and the Harpies of Homer and of Virgil) appear, to make their foul repast upon the carcasses of men and beasts; and thus ends the terror of the horrid massacre.

The three champions do not retire from the camp until the day begins to dawn; and, as they then retreat, they recount to each other the details of their savage achievements. Aswatthaman confesses himself satisfied with his revenge, although chagrined at one thing, which prevents their triumph from being complete; and this is the absence of the five Pandavas, whom an accident has thus saved from the lamentable fate of their friends. They then proceed towards the woods in search of Duryodhana, to whom they desire to report success, if he should chance to be still alive. They find him yet breathing, but in such a wretched plight that it makes them sigh to observe him extended so helpless, with his faithful war-club reposing by his side. In honor of his last hour they commend his valor, heap curses on his assassin, and lament that it was not their privilege to defend and save him. Aswatthaman then tries to cheer him with the following consoling intelligence: "Duryodhana, since thou art yet alive, I wish to communicate to thee something that will be soothing to thy ear. There are no more than seven combatants alive on the side of the Pandavas,—the five princes themselves, Krishna, and his charioteer Patyaki. On the side of the sons of Dhritarashtra there are no more than three,—Kripa, Kritavarman, and myself. The scions of Draupadi have all of them been massacred, and so have those of Drishtadyumna. The Pantchalians have all perished, with whatever there remained of the Matsyans. Thou thus perceivest, prince, that measure for measure has been dealt to them!" And Duryodhana replied: "Yes, yes, I see it; this intelligence consoles me, and restores me to tranquillity of mind. I now feel as if I were the equal of god Indra. Farewell! May ye live happy! In heaven we 'll meet again." After uttering these words, the valiant monarch stabs himself, and heroically breathes his last, to the deep sorrow of his friends around him.

His soul, the poet says, rose up to heaven, the abode of pure spirits, (to which, according to his creed, the final act of his life admitted it, purified, at once,) while his body remained to mingle with the earth.

The Eleventh Book is no less full of interest than the preceding, and offers us a sort of after-sight of the horrors of the carnage, in the lamentations of the women, the description of the appearance of the battle-field, and the last homage paid to the deceased of both parties.

Notwithstanding the cruel retaliation exacted by the surviving heroes of the royal party, the Curavas nevertheless cannot deny that they are the defeated. Of this no one is more aware than blind old Dhritarashtra himself, who, deeply sensible of his irreparable losses, enumerates and laments them with his equerry Sandjaya. The latter endeavors to console him by attributing the fault chiefly to his eldest son and to the perfidious advisers by whom they were led astray. In this attempt he is soon joined by the sagacious Vidura, who in his turn condoles with the old monarch in a long discourse replete with moral reflections, similar to those of the Bhagavad-Gita, but not necessary to be repeated here. The well-meant lesson, however, is far from producing the desired effect; for Dhritarashtra presently becomes senseless beneath the weight of his afflictions, and there is some difficulty in bringing him to life again. On recovering, his thoughts at once revert to his misfortune, and he remains inconsolable.

Meanwhile the signal for the lamentations is given; upon which old Queen Gandhari, the mother of the Curavas, Kunti, the mother of the Pandavas, and the remaining mothers, wives, sisters, and daughters of both families, all leave their homes to drive out to the battle-field, where, with torn garments and dishevelled hair, they unite their sighs and clamors, screaming like the females of the sea-hawks or the eagles; and all this in the presence of an immense concourse of merchants, laborers, and other people. While this is going on, Kripa, Kritavarman, and Aswatthaman, apprehensive of danger from the outraged Pandavas, conclude it best to leave, and then push their chariots in three different directions,—the first towards Hastinapura, the second towards his own king-

dom, and the third towards the hermitage of the supposed bard, the old royal grandsire Vyasa.

Meanwhile the male representatives of both the mourning parties likewise make their appearance, to mingle their laments with those of the matrons. Yudhishthira, the chief of the victorious princes, is so profoundly moved by the spectacle before him, that old Dhritarashtra, disconsolate as he is himself, has to make an effort to console him. The feeble old monarch is even ready to pardon the Pandavas, with the sole exception of Bhimasena, the butcher of his dear Duryodhana, from whose approach he shrinks with a sort of horror, until Krishna, with kind words and reproofs, prevails upon him to be reconciled. Old Queen Gandhari, although inclined to curse rather than to forgive, is yet finally induced likewise to submit. There is therefore now a more or less sincere general resignation to the stern yoke of necessity, and common lamentations are blended with the noblest emotions of charity. The comparatively young and beautiful Draupadi and her mother-in-law, Kunti, mingle their tears together, — the former over the loss of a son, the latter over no special loss of her own, but only over the general calamity; while Gandhari, like another Hecuba, divides her anguish with no less than one hundred daughters-in-law, and over the loss of as many sons and husbands. It is the old queen's lament, therefore, that the poet has justly made, not only the most diffuse, but also the most eloquent, touching, and pathetic of the number. In all this there is really poetry, the genuineness of which cannot be contested, as there is also in the description of the battle-ground, than which there can be nothing more picturesque. When the lamentations are ended, the bards begin to chant their elegies; sacrifices are offered, ablutions and perfumes prepared, while others construct the pyres on which they pile the bows, pikes, chariot-poles, banners, and dead bodies of the heroes to be burnt. In looking at the flames, devouring the remains of so many noble sons, Gandhari's grief is roused once more; and she curses Krishna, whose all-powerful aid has brought such signal ruin on her house. The malediction, although launched at a god, is yet one uttered by a mother, and is on that account, as we shall see presently, destined to take effect.

One might suppose that with the celebration of these funeral rites the poet might have ended, like Homer, or even with the death of Duryodhana, like Virgil. But the imagination of the Hindus recognized none of the limitations of the Romans or the Greeks, and so our epos is allowed to spin itself out into no less than seven additional books, in which we are successively introduced to Yudhishthira's establishment upon the throne; to Krishna's calamity and death (the effect of Gandhari's curse); to the monarch's regret of his career, his resignation, the partition of his kingdom, his journey to the other world, and to his final apotheosis, — a limit beyond which the poet did not probably think it wise to extend the action of his fable.

The lamentations and the imprecations of so many women over the cruel loss of those dear to them produces a most melancholy effect upon the mind of Yudhishthira, and he is so far from taking any pleasure in his success, as to lose himself completely in the most gloomy reveries; he curses the profession of arms, the heroism of the warriors, the guilty violence which has led to so much disaster, and envies the less ambitious and purer life of the hermits of the forest. These private reflections of the prince are followed by a series of discourses concerning the moral and political obligations of monarchs, addressed to him by his grand-uncle Bhishma, as the latter is lying on his death-bed from the wounds he had received in battle; and these discourses are, according to the fashion of the East, interspersed with apologues and legends, too numerous, however, and too tedious to deserve our notice here.

As soon as the excitement has somewhat subsided, a meeting of the royal chiefs is convened, at which the four other sons of Pandu, with Krishna and the priests present on the occasion, decide that Yudhishthira shall occupy the throne without any contestation or division. They then at once take measures to organize the government, which they initiate by the public celebration of the customary *aswamedha*, that is to say, the Sacrifice of the Horse. The ceremony seems to have been a very ancient one, and was in its character religious and military at the same time. Its real design, however,

was purely military; for it was one of the established methods of exacting feudal vassalage, and of distributing investitures and other grants among the warriors and Brahmins who came to recognize the suzerain. The custom was briefly as follows. A horse was suffered to run at large across the adjoining districts, and this animal was then pursued by a mounted warrior, who kept pushing it ahead before him, and who challenged all the princes that ventured to oppose its course. All those who suffered the courser to pass unmolested were supposed to admit the sovereignty of its master, and were expected to be present at its sacrifice, which was not unfrequently accompanied with the most brilliant festivities. This sacrifice took place as soon as the horse had returned to its point of departure, where it was then publicly immolated to the gods in the presence of a large concourse of men of every rank. On this occasion it was Arjuna who pursued the horse, driving it to a great distance, chiefly south and west. He met with some difficulty from the inhabitants of Maghada and of the Sindh, but his mission was nevertheless, upon the whole, eminently successful.

Yudhishthira has thus become the sovereign of all Central India, which he governs with no less skill than moderation, sustained by the devotion of his four brothers, and by the homage of all who are fortunate enough to be benefited by his many virtues. His reign is represented as a tranquil one, and, as our Brahminic poet says, one during which the hermits could attend to the practice of their austerities without the fear of ogres. Blind old Dhritarashtra is treated with the most marked consideration by his nephews, whom he seems to have pardoned completely for the murder of his sons. He remains at court for fifteen years, and during all this time he not only receives every kind attention, but he is even, at least nominally, consulted on all important matters of state. At the end of this term, feeling his strength declining, he concludes it best to retire to one of the sacred forests as an anchorite, and there to prepare for his ascension to heaven. In this voluntary retreat he is joined, not only by his queen, Gandhari, but also by Kunti, the widow of his brother Pandu, as well as by his third brother, Vidura, and by his faithful

equerry, Sandjaya,—all of whom agree to share his contemplations and his privations until the last day of his life. They have, however, inhabited the solitary spot for only four years, when they are visited by one of those terrible conflagrations, to which the parched districts of India have at every period been liable; and during this terrible disaster the old monarch, his consort, and his sister-in-law all perish in the flames. Vidura and Sandjaya succeeded in making their escape towards the Himalaya, where they lived concealed among the rocks, waiting for their end. This method of terminating one's days was one to which we find the kings and queens of old India frequently subjecting themselves, when they had eiher lost their power or were weary of the world. Such is the substance of the Twelfth, Thirteenth, Fourteenth, and Fifteenth Books of our epos.

The Sixteenth Book acquaints us with the effect of Gandhari's curse on Krishna, to whose powerful intervention the Pandavas owed their victory, and the old queen the loss of her one hundred sons. Krishna was the king of the Yadavas, an extensive nation consisting of four large tribes, and his capital was Dwaraka, a criminal and licentious city, corrupted more especially by the abuse of fermented spirits. Among the crimes recently perpetrated by them was an insult offered to four Brahmins in the repute of special sanctity, and often mentioned among the hymnographers of the Vedas. Krishna's people were therefore ripe for punishment as well as their monarch, and the chastisement came in a series of plagues similar to those which desolated Egypt in the days of Moses. Violent storms arose, and at night those who were asleep had their hair and nails assailed by mice and rats; the cranes imitated the hoot of cats, and he-goats the howl of jackals; cows gave birth to asses, mules to young camels, dogs to cats, and the ichneumon to rats; the food of the city was invaded and defiled by thousands of loathsome insects; the sun even moved contrary to its natural course, and the stars were eclipsed one after the other. But all these signs and miracles were without effect upon the hardened inhabitants, who disregarded the warnings of the gods, precisely as they did those of their *gurus* and their Brahmins. The corruption went on, and members of the same family turned traitors to each other.

This perilous condition of his people led Krishna to grave reflections, and he at once suspected the dire consequences of Gandhari's imprecation, which, however, he endeavored to meet with energetic measures. He prohibited the use of ardent spirits with a heavy penalty, and commanded the inhabitants to prepare for a pilgrimage to the sea-shore, where they might purify themselves. The order is obeyed, and they are already encamped outside the city gate, where, however, they are determined to have one more good time of it. They are there with their concubines, ready for a parting festival, for which they have at hand the most exquisite viands, liquors, and perfumes of every sort, dancers and mimes, and whatever else is necessary for a true Belshazzar's feast. The assembly is presided over by Krishna himself, with his two brothers, his entire family, and a number of other chiefs. They are, however, no sooner heated with wine, than an altercation arises at his table, which ends in the murder of his eldest and two of his younger sons. The *mêlée* soon becomes general, and a horrible massacre takes place, in which Krishna himself participates, striking dead in every direction. But he presently recovers himself again; and when he sees that he has lost his nearest relatives and friends, he charges some of the survivors to protect the women against the Dasyus, who were the vagabonds and brigands of the country, and others to send for Arjuna to collect the fragments of his accursed nation, while he himself at once retires to one of the sacred forests to meditate in silence over the catastrophe. While he is there stretched upon the ground, endeavoring to annihilate himself before the Infinite, a hunter mistakes him for an antelope, and with an arrow transfixes the sole of one of his feet. But the deluded mortal no sooner advances to take possession of his booty than he perceives that he has struck a mystical being, and his eyes are dazzled when he next sees Vishnu, the four-armed god, mounting in glory towards the sky.

Krishna is not the only one to suffer from the effect of Gandhari's imprecation; Arjuna and the rest of the Pandavas are to feel it too, although at first only in the shape of cruel disappointment. On Arjuna's arrival at Dwaraka, he finds both the city and the palace in revolt, which he

however at once subdues, and receives the sixteen thousand women of the court under his protection. His next care is to provide for the obsequies of the deceased monarch. He orders the construction of a superb pyre, on which he then burns the corpse, and with it four of the surviving widows. He then collects the remaining Yadavas, and offers to conduct them to some other place. They have no sooner left the city, than it is invaded by the sea and ingulfed forever. While on the road Arjuna's magnificent caravan tempts the cupidity of the Dasyus, and the brigands venture an assault, in which they are so successful as to carry off some of the handsomest of their women. The disaster is due mainly to the infidelity of the hero's enchanted arms, which on this occasion refuse to render him their wonted service. Chagrined by the defeat, the first he has experienced, Arjuna moves slowly onward until he reaches his kingdom, where he establishes here and there the Yadavas that have followed him. After a brief visit to our old anchorite Vyasa, (who seems ready to survive all his descendants, probably already occupied with the composition of his book,) the hero returns to Hastinapura, but this time only to announce to his brothers that the protection of the immortals has deserted them, and that it is time for them to undertake the great journey.

Of this celestial journey the next Book, the Seventeenth, offers us a sketch, and the prelude to the so long delayed definitive *dénouement* of our epopee. When Yudhishthira is informed that his faithful ally, Krishna, was the all-powerful Vishnu himself, he trembles; and when he still further hears of the bloody banquet and of the fate of the Yadavas, he sighs in deep mourning over the horrible calamity. It seems to him as if his task on earth were ended, and he now, in his turn, declares to his brothers his desire to ascend to heaven. The four Pandavas are not slow to comprehend, and they not only approve of his design, but agree to join him. He therefore at once proceeds to regulate the partition of his kingdom: Vajra, the only surviving Yadava, is to occupy the city of Sakraprastha, while Parikshita, the grandson of Arjuna, is to rule at Hastinapura, with Kripa for his first minister. Nor must we imagine that on such an occasion so religious a king as Yudhish-

thira could forget the Brahmins; he liberally grants them treasures, houses, lands, villages, and women without number. After having thus settled his affairs, and offered religious homage to the *manes* of his ancestors, he bids farewell to his devoted people, who are disconsolate to lose a ruler so just and clement. They are all in tears, when presently they see King Yudhishthira, with his four brothers and Draupadi, leave the city dressed in bark, the common humble costume of the Eastern hermit.

The pilgrims are full of devotion, and resolved to practise the law of renunciation to its very letter. Their march is in an eastern direction towards the mountains; and when they have reached the forests, their company is augmented by a mysterious dog, who insists on following them, attaching himself more especially to Yudhishthira. Arjuna is still in possession of his bow Gandiva, and of his two exhaustless quivers with their enchanted arrows. But what is his surprise when, in the forest, Agni appears to him and demands the sacrifice of these his precious arms! Yet he dares not object, and obediently throws them into the water. After a while they reach the foot of the Himalaya, which they then ascend, scaling its steepest and abruptest heights, in expectation of eventually reaching the abode of the blessed. But the patient pilgrims have scarcely one half of the road behind them, when one after the other of the number begins to falter and to sink beneath the weight of their too-arduous exertion, while as they sink Yudhishthira explains to each the cause of his failure. Draupadi drops because she has loved Arjuna more than the rest of her consorts; Sahadeva, because he indulged in the conceit of superior sagacity; Nakula, because he was too proud of his beauty; Arjuna, because his prowess made him too presumptuous; and Bhimasena, because he abused his physical strength for violence. Yudhishthira has been too honorable and just a prince to fail like the rest, and he therefore continues his perilous ascent alone, attended only by the faithful animal which joined him in the woods. As he mounts higher he is met by Indra, the god of thunder, who honors him with an invitation to a seat in his car; but the conscientious pilgrim is unwilling to enter heaven without his friends, nor can he consent to drive away the trusty servant still by his side. It is in vain that Indra endeavors to

expostulate with him, first about his friends and then about the dog, which he asserts to be no more than a greedy beast, ready even to devour the sacred victims of the altar. Yudhishthira adheres firmly to his resolve. "To drive away," says he, "the man who comes to you for an asylum, to kill a woman, to rob a sleeping priest, or to betray a friend,—these four crimes, O Indra, are, in my opinion, no heavier than the desertion of a dependant as trusty as the one behind me." The dog is not insensible to the compliment; for it is no sooner uttered than the animal is suddenly metamorphosed into a superior form, which Yudhishthira at once recognizes as that of Yama, the god of death and justice, reputed to be his own father. Then, by a privilege which none of his lineage had ever enjoyed before him, the royal chief of the Pandavas is invited to a seat upon a luminous car, which carries him aloft to the abode of the immortals, there to wait in patience for the arrival of his brothers and his wife.

The Eighteenth Book, which bears the title of *Swargarohana*, or "Ascension to Heaven," brings us at last to the conclusion of the work, which introduces us both to the hell and to the heaven of the old Hindus, and to the hero's final triumphant apotheosis.

Yudhishthira has no sooner arrived at the mansions of the blessed than he begins to look about for the cherished companions of his pilgrimage; but how disappointed is he, when instead of them he meets but his detested cousins, the vanquished Duryadhava and the rest of the Curavas! To live in heaven with enemies and far away from those he loves is too much for our magnanimous prince, and he at once begs for the privilege of a descent to Tartarus, if his friends are confined there. The request is not refused, and he receives a guide similar to the Hermes of the Greeks, to conduct him to the seat of punishment. The description of the place, which is represented as full of every horror, is extremely elaborate and graphic. Yudhishthira has already descended some distance into the horrid gulf; but he is soon ready to retrace his steps, unable to endure the pestilential atmosphere around him. At this moment, however, his ear is reached by plaintive voices from below, beseeching him to remain for the alleviation of their

pain: "Stay, Bharata's puissant son, stay! for in thy presence we cease to suffer!" The lamentable clamors make our hero sigh, and he at once sends back his messenger to announce to the gods that he is determined not to desert his friends. The divinities are touched by his devotion; and presently Indra, Yama, and the rest, themselves descend to the abyss, which in their presence loses all its terrors and assumes the radiance of heaven. In a word, the redemption is accomplished, and Yudhishthira's disinterestedness is honored by Indra himself, who absolves him of all his faults and crowns his merits. As he then moves upward, attended by a melodious train of divine minstrels and aerial nymphs, he sees his ancestors, his friends, and even his adversaries, all seated on resplendent thrones of gold, and applauding his triumphal march. He then bathes in the sacred waters of the celestial Ganges, which have the virtue to purify the soul, and out of which he rises with a new body, — ethereal, exempt from every infirmity and vice. Thus changed, he follows the advance of the gods still farther, until, amid the praises of prophets and of sages, he enters the sacred assembly, where he finds the warriors of both parties, the sons of Pandu and the heirs of Curu, seated together on chariots of light, with the divine Krishna for their protector and their guide. But this is not yet the end of the miraculous vision. He after a while sees all these heroes transfigured into divine forms, and they now appear as so many tutelaries, who had assumed human shape and lived on earth for no other object than that of keeping up the eternal antagonism of good and evil among men.

Such, then, is a brief outline of the contents of the heroic epos of the old Hindus, in which, as we have already said, we have omitted much that is unessential to the action or otherwise irrelevant or out of taste. In respect to the general character of the work, we have already, both in our introductory account and elsewhere, advanced some few remarks, to which we now might add many more, were our limit not already passed. The reader will, however, we hope, excuse us if, in conclusion, we briefly sum up a few of the most salient points to be remembered in an estimate of our epopee. They are: —

That the Mahabharata is a composition of the epic kind, with strict unity of action, creditable consistency of characterization,

and with many admirable beauties of execution; but encumbered with such a variety of redundant accessories as to be entirely beyond the proportions recognized as classical or legitimate, according to our standard.

That its inequalities of style and other indications point to several periods of composition more or less distant from each other, and that neither the progenitor of the heroes, Vyasa, nor any other one man, could have been the author of so immense and incoherent a composition; that, on the contrary, it was originally the work of a number of rhapsodists, and that its present form even is in all probability due to more than one.

That these rhapsodists were sacerdotal, and compiled the work for the defence of their system, and in the interest of their caste and policy. This is manifest, not only from the general tone and tendency of the many episodes and legends, but even from the invention of the fable, the characters and the *dénouement*, where success and glory are made to attend those princes who are the most devoted to the order, which in those days always claimed peerage with, and not unfrequently even the ascendant over, the royal representatives of the warrior caste.

That the poem, as the product of the measureless imagination of the East and of its fantastical mythology, deals in the miraculous to a greater extent than even the wildest legendary fictions of our Middle Age, and that on that account it offers us, both in respect to matter and to form, much that we have to reject as extravagant, gross, out of place, and altogether inconsistent with the requirements of good Occidental taste.

That, notwithstanding all these unquestioned defects, the Mahabharata nevertheless deserves both study and respect, not only as an encyclopædia of Oriental myths, and a mirror of both the legendary and real history, the manners and customs, the public and private, civil, military, and religious life of ancient India, but also in many respects as a poem which presents to us so many beauties of invention and detail that the mind must be obtuse that can remain insensible to them. We need, therefore, apprehend little contradiction when, in conclusion, we assert that the epos under consideration, now that it has come nearly complete within our reach, will hereafter claim its place in the history of literature as one of the great monuments of the genius of antiquity.

ART. III.—1. *On Liberty.* By JOHN STUART MILL. Second Edition. London. 1859.

2. *Prohibition of the Sale of Intoxicating Liquors impracticable; the Maine Law a Failure; a stringent License Law the true Policy.* By B. F. CLARK, North Chelmsford, Mass. Lowell. 1864. pp. 48.

A MORE exact determination of the sphere and duties of government may justly be held as one of the happiest results of modern investigation in ethical science; but the relations between the government and the individual are still often grossly misconceived. Few men, whether in the legislature or out of it, have ever formed to themselves a clear conception of the proper limits of the law-making power. Most persons, if definitely questioned about it, would probably confess that they had never thought of any limits but those imposed by the constitution, or by public opinion, or by defect of opportunity. There is a vague notion, we fear, that the majority has a natural right to frame any laws which are only not unconstitutional. Especially, if some moral and social evil presses heavily upon the community, and cannot readily be removed by ordinary methods, there are many well-meaning persons who will insist that the law should take such cases in hand. Individual liberty is to them as nothing when it seems to stand in the way of the public good. The short argument of such persons is, that, because it is desirable to get rid of the evil, therefore the most speedy and summary measures to effect this object are justifiable. What measures *are* most speedy and summary, a numerical majority is of course to decide.

The attempts which have been made by various nations, in various stages of civilization, to regulate the expenses of their citizens on dress, food, furniture, or the like, furnish instructive illustrations of the folly and injustice of seeking to do by legislation what belongs properly to an entirely different department of human energy. Sumptuary laws are instances of legislative departure from the proper province of government. Yet, both in antiquity and in modern times, sumptuary laws have been regarded as falling within the rightful scope of legis-

lation, and as not only justified, but demanded, by a due concern for the moral welfare of the people.

Sumptuary laws are laws regulating private expense. They proceed on the assumption that the government has a right to check extravagance and restrain luxury, even by direct interference with purely personal and household economy. They profess, indeed, to have an eye to the public good in this interference. Luxury in individuals is presumed to be a corruption of the state, and, as such, to need and authorize the correcting hand of the state. Now we cannot and need not deny, that individual extravagance and waste are an injury to the community. They waste the products of labor. They enervate character, and thus make men less fit to discharge their duties to the public. They divert others, according to the degree of the individual influence, from the highest and purest aims in life. And they deprive the poor of the assistance which a proper economy would have secured them. But do these and many other obvious evils justify the intervention of law? There are still some important previous questions to be entertained. Is it in the power of legal enactments to abolish these evils? Can this power be exercised without causing more harm than good? What *right* has the government to lay its hand upon matters of private concernment and conscience? The spirit of personal liberty protests against such invasions of private life. Sumptuary laws and all their kindred are repugnant to the spirit of this age; because we hold personal liberty too sacred to be lightly infringed, even for the largest alleged benefit to the state. It was not always so; and the notions of antiquity concerning sumptuary laws were based on the assumption, that the good of the state is not only of supreme importance, but may be secured at the cost of the liberties of the individual.

It is of no importance to discuss here the date of the laws of Lycurgus. We may be content with an obscurity which Plutarch frankly confessed he could not clear up. It is enough that, at a period not later than seven hundred years before the Christian era, we find this name in connection with certain radical changes introduced into the laws and usages of Sparta. Moreover, whatever else may be uncertain respecting the con-

stitution of Sparta, there can be no reasonable doubt that history has correctly given us the main features of the code of social observances, discipline, and education attributed to Lycurgus. The extraordinary permanence of the Spartan discipline and manners would, of itself, entitle them to our careful study. A constitution that could maintain itself essentially the same for five centuries must have had no common degree of vitality, and no common adaptation to the ends proposed.

The immediate end which Lycurgus seems to have had in view was the removal of factions, disorders, and oppressions, and the establishment of a true national unity. The state seemed likely to become an easy prey to its more powerful neighbors; and to prevent such a calamity, as well as to unite the whole body of the citizens in one common object, the Spartans must become a nation of soldiers. War was to be the noblest of trades, the most necessary of all arts. Whatever natural instincts, or private tastes, or domestic affections, stood in the way of this paramount object, must be trampled down without mercy. Spartan institutions combined the rigor of the camp and the convent. All the citizens must take their meals at a public table, not even the kings being exempted; and every one contributed an equal share to the common provision. This effectually abolished the distinction between rich and poor. And, to suppress all luxurious tastes, the fare was of the coarsest and plainest description. Its nature was illustrated by the Athenian witticism about the famous "black broth" of Sparta, — that it was no wonder, if they had to live upon this, that the Spartans were so ready to die. But not only was no encouragement given to the pleasures of the palate; all adornment of their dwellings was forbidden by the same inexorable law. No foreign luxuries of any kind might be introduced; no foreign artisans might exercise their calling in Laconia; no foreign ship might come to its ports. Indeed, the exclusion of gold and silver coinage, and the substitution of iron, must have operated as a pretty effectual bar to all commerce from abroad. The proverbial Spartan courage and fortitude were the direct fruits of their training from infancy. No weakly children were permitted to live, and both girls and boys were subjected to a thorough course of physical

education under the public oversight. Mothers gloried in having given birth to heroes, and the happiest were those who had given the most sons to die for their country. "After the fatal day of Leuctra, those mothers whose sons had fallen returned thanks to the gods; while those were the bitter sufferers whose sons had survived that disgraceful day." Together with the other arts which refine human life, literature was in small repute in Laconia. The Spartans had no authors, and rhetoric and oratory they despised. Some few poems — those of Homer and Tyrtæus especially — were admired by them, as tending to promote a martial spirit. But they had no patience with prolonged discourses, and studied that brevity of speech which to this day we designate as Laconic.

Certainly we cannot withhold from Lycurgus the praise of having accomplished, far beyond most lawgivers, the great purposes of his system. It placed Sparta in the first rank of the states of the Peloponnesus, and made her martial prowess renowned for centuries. Not only the manners, but the whole temper and spirit of the people, seem to have been radically and permanently changed by this extraordinary legislation. Never before or since, so far as we know, have sumptuary laws been so faithfully carried out; never have they so fully effected their object. Luxury absolutely ceased to exist in Laconia, because there was nothing to sustain it. But before we bestow unqualified praise upon this system, we must ascertain whether it did not cost too much. The constitution of Sparta was enforced at the cost of all personal freedom. The will of the individual was in absolute subjection to the authority of the state, not only in public but in private affairs. Xenophon exhibits the ancient notion of virtue, when he affirms that Sparta "alone, of all governments, had regard to the virtue of her people." Schiller more truly says: "The first condition of the moral beauty of actions is freedom of the will; and this freedom is gone as soon as it is attempted to enforce moral virtue by legal punishments." It is, indeed, impossible to overrate the greatness of the evil which must have existed in Sparta, by reason of the prohibition of all free and independent choice. What room for moral education, where obedience was the prime virtue, and conformity the great law? "To choose one's

own destiny," as Schiller says again, "is the noblest prerogative of human nature." In Sparta each man's destiny was chosen for him by the state. He could not follow the bent of his own mind, unless that happened to accord with the public necessity. The Spartan must be a soldier, — nothing less. As a soldier, his chief merit was obedience. It was the glory of Leonidas and his immortal three hundred that they "died in obedience to the laws." It is true that obedience is not less a Christian than a Spartan virtue; but its sole value in Christian ethics is its voluntary character, while to Sparta it mattered little whether it were a thing of choice or of compulsion. Willingly or unwillingly, soldiers could be made to serve their country; and when that end was attained, the means need not be scrupulously examined. This subordination of the individual to the general good was indeed the radical vice of ancient politics, as we have already said. But nowhere else perhaps, in antiquity, have we so striking an example of this vice as in Sparta, where the sole end of every law and institution seemed to be to impress it upon each man that he was nothing except as part of the state.

The system of Lycurgus had a direct tendency to the suppression of domestic life and domestic virtues. No part of it is more revolting to our Christian notions than this. It is something truly astounding, and that which more than anything else gives an appearance of myth and unreality to these alleged institutions of Lycurgus, that it should have been possible to crush those sacred and universal instincts which originate and sustain the family. Under all religions, under all skies, men have maintained a certain reverence for this primitive institution. The dependence of children on their parents, the duty and privilege of parents to educate their children, seem to be so founded in natural reason and necessity that we can hardly imagine the boldness which should dare to ignore it all, or the submissiveness with which the people allowed, not only their children to be taken from them, but their wives to become almost strangers to their society. Yet we are compelled to admit these things as facts no less authenticated than the other parts of the constitution of Lycurgus. And, abhorrent as they are to all our ways of thinking, we see, nevertheless, that they were essential to the success of this constitution.

That wealth and foreign commerce and the fine arts are always and everywhere dangerous to the manliness and courage of a people, seems to have been the undisputed maxim of Lacedæmon, as of so many puritans and iconoclasts the world over. Yet the Athenians might have taught the Lacedæmonians that there is no necessary connection between refinement and cowardice. The citizens of that "fierce democratie," though they loved fine clothes and sumptuous fare, and gloried in their poets, orators, and artists, were able to make, not only the hordes of Xerxes, but even the Spartans themselves, tremble before them. The age of Pericles, renowned above all others for progress in arts, certainly witnessed no marked decline in arms. But there can be no need to cite frequent examples from history to show that courage and culture are not incompatible. Luxury indeed tends to enervate; but luxury is far from being a measure of culture and refinement. On the contrary, the luxurious spirit has hardly been more corrupting to morals than to taste. But the puritanical temper forgets that there is danger on the other side too, — danger from rudeness and hardness, not less than from the tendency to sensualism; and that danger, moreover, is the element in which all noble characters are to be matured. One of the last moralists to be suspected of any effeminacy either in life or doctrine, Fichte, says: "Æsthetic feeling (*Sinn*) is not virtue, — but it is a preparation for virtue. It makes the soil ready; and when morality comes in, it finds half the work, namely, emancipation from the bonds of sense, already accomplished." (*Sittenlehre*, § 31.) Somewhat in the same spirit, perhaps, Burke declared that to take from vice all its coarseness was to take away half its evil. We have indeed too many unconscious followers of Rousseau, who, in their revolt against an extremely artificial and corrupt society, would advocate a return to the "simplicity of Nature." To them the Spartan system would be always admirable, because it made short work with all the possibilities of luxury and effeminacy, heedless of the wrong it also inflicted upon some of the nobler aspirations of the soul. Common sense suggests that it were advisable first to ask whether we are compelled to choose between the savage and the fop, or even between an Agis

and a Vitellius. And as it is certain that no such alternative is forced upon us, so too we may find that all which is most admirable in the primitive simplicity of an heroic age is quite capable of being reproduced in a modern and highly cultivated state of society. What need to offer proof of this to a generation that has witnessed the heroisms of our own civil war? How manifest have been the manliness, the courage, the cheerful endurance, nay, even the physical stamina and persistency, of those who left all the comforts, refinements, and luxuries of an attractive home because their country called them to her defence! It is invidious to give credit to one class more than another for their services to the Union. But the record amply sustains us in ascribing no inferior position to the soldiers who came from the more educated portion of society, and many of whom had been daintily, and even sumptuously, brought up. They were not Spartans in early training or experience; war seemed utterly foreign to all their tastes, and even to their principles, and yet the great emergency showed them worthy to rank with Sparta's bravest and best.

Leaving now the little oligarchy by the banks of the Eurotas, we turn to the sumptuary laws of the great commonwealth, which from the Tiber extended its domain over the world. Rome seems no more than Sparta to have questioned the right of the state to restrain luxury by legal enactments; and never was a people who needed such restraint more than the Romans. Their luxury was of the coarsest kind. Nothing in the history of civilized nations can surpass the sensuality of Roman banquets under the Empire. Land and sea scarcely sufficed, says Sallust, to set out their tables. "Far-fetched" and "dear-bought" seem to have been peculiarly their measures of value, and not any special delicacy of the viands. Indeed, the Roman gluttons cared more for quantity than quality. We need not repeat the disgusting stories which have come down to us of their expedients to prolong the pleasures of the palate. Of their extravagance in providing for the table, it is enough to mention one instance, by no means exceptional, namely, that a single mullet (a favorite fish among the Romans), of the unusual weight of six pounds, was

sold for eighty dollars! And of the time consumed at meals we may form some idea when we read in the younger Pliny a eulogium of his uncle for his extraordinary "parsimonia temporis" in giving but three hours to his dinner. But the extravagance of those times was not confined to mere eating and drinking. In the adornment of their banquet-rooms they spent incredible sums, as well as upon furniture* generally, and upon dress and other personal ornaments. Cato called sumptuary laws "leges cibarias," because nearly all of them were enacted to restrain extravagance in food. But the earliest law of this kind on record (passed B. C. 215) was directed against extravagance in dress, enacting that no woman should own more than half an ounce of gold, or wear a dress of different colors, or ride in a carriage in the city, or in any town, or within a mile of it, unless on occasion of public sacrifices. This law was repealed twenty years afterwards; how long it had been a dead letter on the statute-book we have no means of knowing. The Lex Orchia which followed (B. C. 181) limited the number of guests at entertainments, but said nothing otherwise about the expense. But the Lex Fannia (B. C. 161) ordained that on certain festivals which are named the expense of an entertainment should not exceed one hundred *asses*, on ten other days in each month thirty *asses*, while on all other days not more than ten *asses* should be expended for this object. When we remember that the equivalents of these sums in our own currency would be about a dollar and a half, forty-five cents, and fifteen cents, respectively, we can only conclude that an extreme frugality must have prevailed at that date, even after making the due allowance for the much greater comparative value† of the same money two thousand years ago. Such frugal limits, however, are not long observed. The laws themselves were obliged continually to reduce their restrictions. More and more concessions were made to the growing taste for luxury,

* Even Cicero is reported to have given $ 10,000 for a single table of cedar.

† It is a vexed question among the political economists, how much gold has depreciated since the Christian era. Certainly we must assume a pretty large depreciation; in other words, a gold coin under Augustus would buy very much more than the same coin would buy now, — M. Say thinks, about three times as much.

with the vain hope of thus securing obedience to the law. Thus the Licinian Law — somewhat subsequent to the Lex Fannia — allowed two hundred *asses* (three dollars) to be spent on entertainments upon marriage days, retaining for other days the same directions as the preceding law. But the Julian law, proposed by Augustus, allowed an expenditure of two hundred *sesterces* (ten dollars) for festive entertainments on the "dies profesti," three hundred on the Calends, Nones, and Ides, and one thousand (or fifty dollars) upon marriage feasts. An edict either of Augustus or Tiberius went still further, making one hundred dollars the legal limit for the expense of an entertainment.

Julius Cæsar even endeavored to enforce the observance of sumptuary laws by violent measures. He stationed officers at the market to prevent the illegal sale of provisions, and even sent his soldiers and lictors to the banquets to seize everything contraband they might find there. But without his personal presence in Rome, these measures were ineffectual. A law proposed by one Antius Restio, in addition to a restriction upon extravagance at meals, enacted that no actual magistrate or magistrate elect should dine abroad, except at certain prescribed places. But Restio himself is said never to have dined out after the law was passed, lest he should be witness of its violation. The remark which Macrobius makes upon this law is probably applicable to most of the class: "Quam legem, quamvis esset optima, *obstinatio tamen luxuriæ et vitiorum firma concordia*, nullo abrogante, inritam fecit." Restio seems to have been an honest man; but what a farce must sumptuary restraints have appeared, when passed or proposed by men like Antonius the triumvir, or Tiberius, or Heliogabalus! What wonder that the principal citizens, as we are told, trampled upon them; or that, when, as in public repasts, they were obliged to conform to the letter of the law, they easily found ways to evade its spirit! *

* Cicero, in a letter to his friend Gallus, playfully describes an instance of this when invited to an "inaugural dinner," whence all the meats prohibited by law were strictly banished, but the permitted vegetables were so skilfully prepared, "ut nihil possit esse suavius"; and he is obliged to confess, "ita ego, qui me ostreis et murænis facile abstinebam, a beta et a malva deceptus sum."

The evil was undoubtedly fostered by the enormous fortunes which the wealthier classes had at their command. The famous Crassus is said to have had, in landed estates alone, besides a large number of houses in the city, a property of ten millions of dollars. Apicius, the noted epicure, owned five millions; and the augur Cn. Lentulus, under Augustus, not less than twenty millions. In the beginning of the fifth century, "many" families had an income of nearly a million from their real estate, and families of the second rank an income of from two hundred and fifty to four hundred thousand.* These figures, however, require to be largely multiplied to get at their real value. Contrasted with the very low price of the necessaries of life, they assume colossal proportions. A day-laborer in Cicero's time earned about sixpence a day; and, what seems hardly credible, Polybius tells us that a traveller's single entertainment at an Italian inn cost him, in his time (about 200 B. C.), but half a penny. What then must have been an income of a million a year, when it was possible to subsist on a penny a day! Truly it might be said that some private citizens of Rome had patrimonies like kingdoms. And if we may believe half the invectives of the satirists and historians, they did not fail to use their wealth so as to become kings in power. Could sumptuary laws have any chance of success in a system so venal? Yet the reformers, real or pretended, continually deluded themselves with the hope of stemming the tide of luxury by the barriers of law. The futility of these efforts confirms us in the belief, which has become almost a truism in our day, that, in the long run, no laws can be effectual which are not sustained by public opinion, least of all those which assume to supply the place of moral convictions and religious principle. We may not say that the fall of Rome was owing to her luxury, for there was undoubtedly a combination of many causes to bring about that overthrow. But we cannot regard these abortive attempts to check extravagance as anything more than indications how far the evil had gone.

* "I have seen," says the elder Pliny, "at a simple supper given in honor of a betrothal, Lollia Paulina (afterwards Empress) all resplendent with emeralds and pearls; her head, hair, throat, ears, neck, arms, and fingers were loaded with them. They were valued at forty millions of sesterces."

They do not even prove the virtue of those who were most strenuous that such laws should be enacted. It became the fashion for Romans to extol the frugality of their ancestors,— to extol, but unfortunately not to imitate. Seneca and others could discharge their consciences by the easy method of recommending poverty and sobriety, and did not confirm their words by example. Rome lived on her past glories. The simple reputation of the early Republic seemed almost sufficient, for many generations, to uphold the tottering magnificence of the Empire.

The third instance we propose to cite in the matter of sumptuary laws brings us nearer home. No misgiving seems to have disturbed the venerable founders of our Commonwealth that they were meddling with what did not belong to them, in legislating against luxury and extravagance. "The right to control the individual," says our latest and best historian, "not only for his neighbor's protection but for his own improvement, was law after the universal traditions of Christendom."* Such a right was least of all likely to be questioned by our Puritan fathers, who held themselves sacredly bound to carry out their ideas of a Christian state in the smallest as well as the greatest things. They were, in their own eyes, the constituted guardians of the purity of Christian faith and morals in the new Colony; and they made it a matter of conscience alike to prohibit the wearing of "bone-lace," and to drive out from their boundaries such pestilent heretics as Quakers and Anabaptists. To them this legislation was no usurpation, and intolerance was rather a virtue than a vice. In fact, their great mistake may be said to have been, that they made no distinction between a sin and a crime. An offence against the laws of God was for that reason an offence against the laws of man. It was a crime to disregard the Sabbath in any way, to deny the authority of any part of Scripture, to call in question the truth of Christianity, or even to dispute the doctrine of the Trinity. What wonder, then, that with these notions of the province of legislation they proceeded early to enact many laws against sumptuous food and drink and costly apparel.

* Palfrey's History of New England, Vol. II. p. 34.

Not merely moral but prudential reasons moved them thereto. They could appreciate the evil of waste in a country hardly reclaimed from the wilderness, and where the utmost frugality and diligence sometimes barely sufficed to procure a living. This appears very curiously in the preambles to some of their laws, in which economy and morality are strangely blended. Thus, in the Records of the Colony for September, 1639, it is written: "Forasmuch as it is evident unto this Court that the common custom of drinking one to another is a mere useless ceremony, and draweth on that abominable practice of drinking healths, and is also an occasion of *much waste of the good creatures*, and of many other sins," &c. And the statute goes on to declare that such things are especially a reproach to a Christian commonwealth, "wherein the least known evils are not to be tolerated." Not to tolerate an evil was equivalent, with these legislators, to passing laws for its suppression, — a confusion of thought unfortunately not confined to them. It would seem to be almost a chronic delusion with a certain class of reformers, that whatever is morally injurious to any community may justly be removed by any process which promises to be the most expeditious and summary. But to say that even "the least known evils are not to be *tolerated*" in a Christian society, gives one a singular view of the Christian ideas of our Puritan ancestors. It certainly confirms what is so often said of their whole system of government, that it was constructed rather after the Jewish than the Christian pattern. To us it seems but the dictate of common charity to "tolerate" a great many social wrongs, a great many usages, which are manifestly corrupt, *until* they can be abolished without committing some other wrong. To our fathers — and to some of their sons likewise — it seems not to have occurred, that it would be possible to commit any wrong in the endeavor to carry out their ideas of right.

The three articles most obnoxious to early sumptuary legislators in Massachusetts appear to have been tobacco, dress, and intoxicating drinks. In the instructions of the Massachusetts Company to Endicott and his Council, the trade in tobacco is only allowed to the "*old* planters," "if they con-

ceive that they cannot otherwise provide for their livelihood." It is left to the discretion of Endicott and his Council "to give way for the present to their planting of it, in such manner and with such restrictions" as they may think fitting. "But," it is added, "we absolutely forbid the sale of it or the use of it by any of our own or particular (private) men's servants, unless upon urgent occasion, for the benefit of health, and *taken privately*." In the Records of the Colony of Massachusetts for September 3, 1634, "it is ordered that victuallers or keepers of an ordinary shall not suffer any tobacco to be taken into their houses, under penalty of 5*s.* for every offence to be paid by the victualler, and 12*d.* by the party that takes it." "Further it is ordered that no person shall take tobacco publicly under the penalty of 2*s.* 6*d.*, nor privately in his own house or in the house of another *before strangers*, and that two or more shall not take it *together* anywhere, under the aforesaid penalty for every offence." The words we have italicized in the above extracts indicate a curious view of morality among our Colonial legislators, and one which, we are sorry to say, does not exalt them in our esteem. It was wrong to do before others what it was not wrong to do in secret! Fichte has truly remarked, that all lying comes from some form of oppression. Deceit is the solitary weapon of the slave; and when a whole people have been in bondage for generations to an oppressive rule of public opinion or of law, the inevitable result is, that those who wish to maintain a respectable character, or who shrink from open violation of the statutes, are driven to do in secret what they unconsciously, perhaps, feel that no man had a right to prohibit to them; and yet every such secret indulgence, even in things innocent, is likely to detract from self-respect, and therefore to become a serious injury to the moral nature.

The laws which our Colonial fathers enacted against "excess and bravery in apparel" are fitted to excite a smile. But there is something more than ludicrous in the aspect of grave lawmakers passing judgment on all the minutiæ of dress, and finding matter of offence in an extra "slash," or a needless garniture of "lace." Against this last-named article the zeal of our fathers seems to have been especially stirred up. In

1634 it was ordered "that no person, either man or woman, shall hereafter make or buy any apparel, either woollen, silk, or linen, with any lace on it, silver, gold, silk, or thread, under the penalty of forfeiture of such clothes." In 1636 it was enacted "that no person, after one month, shall make or sell any bone-lace or other lace, to be worn upon any garment or linen, upon pain of 5*s*. the yard for every yard of such lace so made, or sold, or set on; neither shall any tailor set any lace upon any garment, upon pain of 10*s*. for every offence, — provided that binding or small edging laces may be used upon garments or linen." Again, three years later, a new edict was launched at this obnoxious material, because "there is much complaint of the excessive wearing of lace and other superfluities, tending to little use or benefit, but to the nourishing of pride and the exhausting of men's estates, and also of evil example to others." The law of 1634 was indeed repealed in 1644; but in 1651 the Court, to their great grief, are compelled to try their hand at the work again, though frankly confessing the impotence of all previous legislation, and evidently awaking to a sense of the inherent difficulties of the subject. "We acknowledge it," say they, "to be a matter of much difficulty, in regard of the blindness of men's minds and the stubbornness of their wills, to set down exact rules to confine all sorts of persons"; — and so, leaving the wealthier class to their own conscience or fancy, they undertake to prescribe for "people of mean condition." It was therefore ordered (in 1651) that no one whose estate is not of the value of £200 "shall wear any gold or silver lace, or gold or silver buttons, or any bone-lace above 2*s*. per yard, or silk hoods or scarfs"; and moreover, the selectmen of the town are required to fine anybody whom "they shall judge to exceed their rank and ability in the costliness or fashion of their apparel, *in any respect*"! And finally, a law passed in 1662 forbids "children and servants" to wear any apparel "exceeding the quality and condition of their persons or estate," "the grand jury and county court of the shire" being judges of the offence.

This does not look very much like democratic equality or the Declaration of Independence. Evidently our fathers

had not left behind them as obsolete all distinctions of social rank. Indeed, some of the usages and laws of the Colonial times would lead one to infer the existence of as decided a feeling for aristocracy as had ever prevailed in the mother country. Our fathers were probably quite as desirous to "re-enact natural justice" in their laws as any of their descendants can be. But, starting with false notions of the rights and obligations of civil government, and holding individual liberty of small account when set against the apparent necessities of the public welfare, they easily persuaded themselves that they should be false to their duty as magistrates not to correct extravagance in those who would suffer most by it; nor does it seem to have occurred to them, in their zeal for this end, that "£200" was not a natural demarcation between those who had and those who had not a right to spend as they pleased. One provision of the law of 1634 against "new and immodest fashions" is too remarkable to be omitted. It reads as follows: "Moreover, it is agreed, if *any* man shall judge the wearing of any the forenamed particulars, new fashions, or long hair, or anything of the like nature, to be uncomely or prejudicial to the common good, and the party offending reform not the same, upon notice given him, that then the next Assistant, being informed thereof, shall have power to bind the party so offending to answer it at the next Court, if the case so requires; provided, and it is the meaning of the Court, that men and women shall have liberty to wear out such apparel as they are now provided of, (except the immoderate great sleeves, slashed apparel, immoderate great veils, long wings, etc.)." What intolerable tyranny of private surveillance is indicated in the phrase, "what any man shall judge to be uncomely"!

Legislation against intoxicating drinks is a feature of Puritan law which connects it more immediately with the present time. In bringing this into discussion under the head of "Sumptuary Laws," we by no means assume that any and all legislation on this subject is sumptuary. To what degree it ever is so, we will presently consider. We certainly think that it *may* partake of this character. Our venerable forefathers evidently had no thought of the necessity of "total abstinence" in

order to suppress drunkenness. In the second letter of instructions (dated June, 1629) to Endicott and his Council, they are exhorted to prevent the sale of "strong waters" to the Indians, and to punish any of their own people who shall become drunk in the use of them. In the preamble to a law enacted in 1646, one is led to expect an enforcement of the modern principles of abstinence and prohibition; since, after declaring that "drunkenness is a vice to be abhorred of all nations, especially of those which hold out and profess the Gospel of Christ Jesus," it goes on to assert that "any strict laws against the sin will not prevail *unless the cause be taken away.*" But it would seem that "the cause," in the eyes of our Puritan lawmakers, was an indiscriminate sale of spirituous drinks; for the law chiefly enacts that none but "vintners" shall have permission to retail wine and "strong water." It is also permitted to constables to search any tavern, or even any private house, "suspected to sell wine contrary to this order." Moreover, no person is "to drink or tipple at unseasonable times in houses of entertainment,"—the "unseasonable" time being declared to be after nine in the evening.

But these laws were of small avail, for, in 1648, the Court is grieved to confess: "It is found by experience that a great quantity of wine is spent, and much thereof abused to excess of drinking and unto drunkenness itself, *notwithstanding all the wholesome laws* provided and published for the preventing thereof." It therefore orders, that those who are authorized to sell wine and beer shall not harbor a drunkard in their houses, but shall forthwith give him up to be dealt with by the proper officer, under penalty of five pounds for disobedience.

It would be tedious to enumerate the many futile attempts, found on the pages of the early records, to put a stop to drunkenness by legislation. One device after another was tried, but apparently on the principle which Macrobius gives as a reason for fresh sumptuary laws among the Romans: "*Exolescente metu* legis antiquioris." The punishments were not always limited to fines. In 1636 one "Peter Bussaker was censured for drunkenness to be whipped and to have twenty stripes sharply inflicted, and fined £5 for slighting the magistrates," etc. In March, 1634, it was ordered "that Robert Coles, for

drunkenness by him committed at Roxbury, shall be disfranchised, wear about his neck and so to hang upon his outward garment a D made of red cloth and set upon white; to continue this for a year, and not to leave it off at any time when he comes amongst company, under penalty of 40*s.* for the first offence and £5 for the second." What was the efficacy of the whipping or the "scarlet letter," we are not informed. That intemperance prevailed to an alarming extent, in spite of all fines and punishments imposed, is sufficiently evident from the frequency of this penal legislation and the various forms in which it was tried. Was this a vice, as suggested by a modern writer, to which the Puritans were especially addicted because it was *their only recreation?* If so, it is another illustration of the familiar proverb, "Naturam expellas furca, tamen usque recurret." Perhaps it may be found that we need not go back quite two centuries for such illustrations. Too many of our modern legislators and reformers also seem to forget that "nature" is not to be expelled by edict. And the mention of this brings us to the consideration of prohibition as the most recent panacea for the tremendous evil of intemperance.

The title of the pamphlet which we have put at the head of our article asserts the famous "Maine law" to be "a failure." We believe it to have failed because of the more or less distinct consciousness, on the part of the people, that it is essentially a sumptuary law, and therefore an unwarrantable interference with personal liberty. This has, indeed, been indignantly denied. The framers and advocates of this law, we are willing to believe, sincerely regard it as a measure of simple protection. The Report of the Committee to the Senate of Massachusetts, February 15, 1855, after affirming it to be "very generally admitted" that the use of intoxicating drinks as a beverage is injurious to the best interests of a community, goes on to say that the logical inference from this is, "that the community is authorized and obligated to employ all proper expedients for protecting itself against serious detriment from this source." Taken literally, this does not seem a very important or striking conclusion for the "logical inference" to conduct us to; for plainly the only question is, What *are* these

"proper expedients"? We are however informed, further on in the Report, that "moral suasion" has been discovered to be insufficient for the removal of the evil; and that the same is true of the punishment of drunkards and the enactment of license laws; but that at last (in 1852) 80,000 voters and nearly 200,000 citizens of Massachusetts demanded the enactment of a law "founded on the principle of entire prohibition, confiscation, and destruction"; and now (this Committee believes) the effectual and thorough remedy is found.

We do not propose to establish the proof, from Mr. Clark's pamphlet or elsewhere, that this sovereign remedy has failed to accomplish what its inventors expected during these ten years of its trial. We are concerned chiefly in pointing out its "sumptuary" features. It seems to us to come under this category, because it dictates to private individuals concerning their personal tastes and expenses. It does this virtually, though not in express terms. Mr. Mill * very properly says: "The state might just as well forbid him [the buyer and consumer] to *drink* wine, as purposely to make it *impossible* for him to obtain it." Indeed, it seems to us scarcely to admit of a doubt, that many of the advocates of this law, if allowed to pursue its "logical inference," would not hesitate to complete their purpose by making all *use* of intoxicating drinks (except as medicine and in the arts) criminal. That would unquestionably be more *thorough* than any previous legislation; and it would be perfectly consistent with the principle of prohibition; but one could hardly deny that this was sumptuary law. The right to eat and drink and wear what he shall think best for himself is surely one of the most obvious rights of a human being, qualified only by the demands of common honesty and decorum. Neither the community, through the expression of public opinion, nor the state, by the enactment of law, is authorized to take away that right. But has not the state, has not the community, a right to protect itself against the fearful consequences which intemperance draws in its train? And does not intemperance, though an individual sin in its origin, produce an incalculable amount of social misery?

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* On Liberty, p. 160.

We answer both questions in the affirmative, and yet we emphatically deny that the state may resort (as is implied) to *those methods* of protection which are believed to be most efficient, that is, most expeditious. It might be the most efficient way of destroying heresy to put all the heretics to death; but the spirit of the age inclines to a somewhat humaner process. We might think to prevent all the dangers of "a little knowledge," by burning every book we could lay hands on; but a prejudice would still remain in favor of everybody's meeting these dangers for himself. The state may protect itself and its citizens against flagrant acts of violence, injustice, and disorder; but it may not therefore punish those private habits or indulgences which sometimes lead to violence. Drunkenness is a sin, but it is not a crime. The state has a right to punish a drunken man for assault, but not for his drunkenness. And this is no quibble, but a distinction of vital importance. Every man, because he is a member of some community, exerts an influence upon that community for good or evil, according to his peculiar endowments and opportunities; and in this sense no private act is without its public results. But what intolerable interference with personal and domestic freedom, should the officers of law assume to correct every departure from strict morality, — should they, in other words, treat every sin as a crime!

Mr. Mill, and William Von Humboldt* before him, have admirably shown how essential it is to all the great interests of humanity, that each man in the community should be left free by the state to develop his individual nature, wherever this development does not *directly* infringe upon the rights of others. That which is only *indirectly* injurious to other persons in a man's conduct is no proper object of legislative interference. Let this plain and intelligible principle once be violated, and we have no security against the most odious forms of search and espionage. Habitual blasphemy and profanity may imply a deeper degree of moral turpitude than stealing; yet we punish the last offence, because it is an immediate injury to society, while we affix no legal

* In a posthumous work entitled "The Sphere and Duties of Government."

penalties to the first, because it operates only indirectly and remotely to the public detriment. The state may allow a man to ruin himself by his vices; for it is far better he should have this liberty of determining what he thinks best for himself, than that the state should interpose in purely personal and private concerns. But though the state may not come between a man and the vicious habits he chooses to form, it by no means follows that he is to go down to destruction without an effort to save him. Domestic and friendly remonstrance, and the various motives which benevolent individuals or societies can bring to bear upon him, may still be effectively used. There is no danger that they will cease, while one spark of human love shall glow in a human breast; though there *is* danger (as experience has shown) that these efforts may be somewhat relaxed, when legislation rather than charity is deemed the great instrument of reform. But this mode, says the Legislative Committee of 1855, has been tried and found "insufficient" to remove this gigantic evil of intemperance. Does this mean anything more than that "moral suasion," so called, is a slow process? Insufficient it may have been to satisfy the impatience or the unreasonable expectations of certain reformers, but its work, though slower, we believe to have been far more secure and radical. We do not deny that legislation has *something* to do in aiding the efforts of those who are laboring to suppress intemperance. But we do deny that efforts in the direction of sumptuary law can produce anything but ultimate harm to the cause they aim to benefit. Such is the lesson of the past; and it is amply confirmed in more recent times. The true province of legislation is to remove all obstacles to the freest development of individual virtue; and where that is adhered to, it will be the direct personal interest of the citizen always to strive for the well-being and the security of the state.

ART. IV. — 1. *Dissertation on the Progress of Ethical Philosophy, chiefly during the Seventeenth and Eighteenth Centuries.* By SIR JAMES MACKINTOSH.

2. *The Emotions and the Will.* By ALEXANDER BAIN. London: John W. Parker and Son. 1859.

3. *Elements of Psychological Medicine.* By DANIEL NOBLE, M. D. London: John Churchill. 1855.

4. *The Human Brain, its Structure, Physiology, and Diseases.* By SAMUEL SOLLY. From the Second London Edition. Philadelphia: Lea and Blanchard. 1848.

SIR JAMES MACKINTOSH has, in his treatise on Ethical Philosophy, drawn attention to the importance of distinguishing the *criterion* of morality from the states of mind excited by the moral qualities of actions. He agrees with the utilitarians in considering the tendency to produce the greatest amount of happiness to be the criterion of morality, but is careful to apply this criterion to motives rather than to external acts.

The opinions of philosophers upon the subject are susceptible of a threefold classification.

In certain states of society and of the individual, conformity to some external authority is the criterion of morality. The authority may be that of a human being, as a parent, guardian, magistrate, or prophet; or of an organization combining the influence of many persons, as the Church or State; or, finally, that of the Deity himself. To him who adopts a criterion of this kind, questions concerning the morality of actions relate to conformity with that will which is the foundation of morality. This class of opinions is observed more frequently among practical men than among philosophers. The philosophic mind disregards unsupported human authority, and seeks to found the claims of the parent, the sovereign, the Church, and the state upon the will of God. Conformity to the Divine Will is the chief criterion of this class. This criterion is defended by Augustine, by Ockham, and later, by Calvin and his school, and finds a zealous champion in Dr. Wardlaw. Frequent references to the will of God, as determinative of moral questions, are found in the writings of every moralist who believes in the existence of a Supreme and Perfect Being.

The second class of opinions presents some quality of human nature as the source of our knowledge of right and wrong, — the court of appeal before which questions of morality are to be tried. This quality may be termed the moral sense, as by Hutcheson; common sense, as by Buffier; the practical reason, as by Kant; reason *par excellence*, conformity to the eternal fitness of things, as by Samuel Clarke; or conscience, as by Butler, Stewart, Brown, and others.

The third class presents general utility as the criterion. Above all thinkers of this class, ancient and modern, towers the form of Mr. Bentham.

A writer imbued with the spirit of Comte might designate these three classes of opinions as so many progressive stages, to be termed respectively the theological, the metaphysical, and the positive;* and give preference to the last as the ultimate doctrine. They do, in fact, illustrate that important law of human belief to which Comte has called attention. The human mind at first adopts the declarations of others, next seeks to explain nature by the aid of abstract conceptions, and finally discerns the importance of observing facts and tendencies. By no such summary generalization, however, can we dispose of the ethical systems of the various masters of human thought, who have instructed and improved the world.

Each of the above classes of opinions embodies some truth specially appreciable under certain circumstances, and not to be neglected in a comprehensive view of morality. Each, also, contains an error, liable, if embraced, to lead to confusion in theory and aberration in practice.

The first class of opinions presents the truth that it is God's will that his creatures practise virtue, and that every departure from rectitude is personally offensive to Him. In view of this great fact, it is not surprising that minds of the most logical class have considered the invariable connection of morality with the Divine Will as entitling the latter to the position of a

* We do not wish to be understood as representing this to have been the view of Comte himself. His firm conviction of the disinterestedness of virtue led him to discard the claims of utility as the criterion of morality, and to embrace a view essentially metaphysical, but modified by his attempt to reconstruct phrenology. See the last chapter of Vol. I. of his *Système de Politique Positive.*

criterion of the former. The practical good tendency of this view to promote piety and humility is too obvious to require discussion.

The error of this view consists in its mere presentation of the supernatural side of morality. If we are unable to explain a fact, otherwise than by declaring that it has the will of God as its cause, we can add little to the sum of knowledge. The principles of morality are related to other natural phenomena, and are legitimate subjects of investigation.

The practical tendency of the exclusive adoption of this criterion is to place maxims regarded as expressive of the Divine Will beyond the reach of discussion, when thorough examination might reveal the falsity of the assumption of Divine authority, or, on the other hand, give additional weight to the maxims by showing their intrinsic excellence and special applicability.

The truth presented by the second class of views is, that we do entertain pure, disinterested, and specific inclinations toward virtue. The practical effect of this class of views in inculcating implicit obedience to our convictions is also clear.

The error of this view is, that it sets up as an infallible inward guide opinions and emotions springing sometimes from selfish and erroneous sources. Its practical bad tendency, when unmodified, is to produce an unyielding, tenacious, and narrow character, cleaving to principles, but incapable of appreciating the modifications which they undergo amid the clashing of circumstances, and ill adapted to charity towards opposing convictions.

The truth presented by the third class is, that the practice of virtue is the safest mode of seeking happiness. Its good practical effects are the stimulation of social and political investigation, and the promotion of needed reforms.

The error of this class consists in confusion of the motives of a selfish with those of an unselfish character, and in a vain attempt to simplify the emotional nature. Their practical bad tendencies are to induce men to act upon, and present to others, low motives to virtue, to ignore those incentives to action the effects of which are not readily appreciable by the intellect, and to divert attention from religious duties.

Inasmuch as each of these classes embodies important truths, it is natural that individual minds should grasp the truths best adapted to their habits and capacities. Men's circumstances and habitudes have, therefore, extensively influenced their views of the criterion of morality.

I. Where society is democratic, there is a strong tendency towards utilitarianism. He who follows his own good impulses, or obeys what he considers to be the will of the Supreme Being, in opposition to the comprehensive interests of those around him, incurs general disapprobation, despite the purity of his motives; while he who is obviously animated by the sole intention of benefiting his fellow-men is regarded as a faithful public servant, the friend of all. In such a state of society, and more especially in those periods of agitation and conflict which precede its establishment, men's minds are frequently directed to the overthrow of institutions which the teachings of the prevailing religion and the consciences of conservative men sanction and defend. What motive can be alleged as a justification of attacks upon such institutions, save regard for the general welfare? M. de Tocqueville, in his chapters entitled "The Americans combat Individualism by the Principle of Interest rightly understood," and "That the Americans apply the Principles of Interest rightly understood to Religious Matters," has ably shown the tendency of democracy to utilitarianism.* In the great democratic community of ancient times, Socrates clearly recognized the production of happiness as the object of virtue.† Aristotle begins his Ethics with the announcement that happiness is the highest object of action. The Sophists seem to have enforced the importance of virtue to the attainment of happiness with all their art and eloquence. Zeno, however, and his disciple Carneades, flourishing at a time when democracy, subsistent merely in form, languished beneath the gloomy shadow of Macedonian ascendency, taught far other views.

In states of society where culture is restricted to predominant classes, ethical philosophers are influenced in their rea-

* Vol. II. p. 129, ed. 1840.

† Xenoph. Mem. IV. 1, 2; Id. IV. 7, 8; Plato, Alcibiades, 11, 13, p. 145 C; Plato, Apol. Soc., c. 17, p. 30 A.

sonings by the high sense of personal dignity, characteristic of the members of an oligarchy. They are apt to assume that virtue consists in obedience to an innate quality, imperious in its mandates, and alone adapted to preside over the harmonious development of man. He who obeys this principle — who thus develops himself — need neither look to the gods nor to his fellow-men for motives in well-doing. His own nature furnishes him with a high and noble object of pursuit. To live conformably to nature, τῇ φύσει ὁμολογουμένως ζῆν, as the Stoic writers express it, is the purpose of life. Such a view, when first formed, is apt to concede freedom to the will. As, however, the political development of society involves the high and cultivated classes in ruin, it may, like the stoicism of the latter days of the Roman Republic and the earlier period of the Empire, represent the virtuous man as nobly strong against gloomy and overpowering fate, amid circumstances which almost paralyze the will itself. Even in its decline, however, this view is the stronghold of the human will.

When society, disorganized by conflicts, seeks order and tranquillity under despotic power, the feebleness of the individual is recognized, and the necessity inculcated of submission to the mandates of a central authority, which represents itself as acting for the general good, even where it inflicts suffering. Men's knowledge of political government affects their opinions of moral government; and they turn from an absolute and corrupt monarch to the more absolute but incorruptible Ruler of the universe. This view is strongly monotheistic, and even in polytheistic countries rests upon the monotheistic conception of fate as a deity ruling the gods. The first centuries of our era were thus peculiarly adapted to the reception of Christian morality.

It is well that these various criteria should prevail, as indicated, in different states of society; for each is peculiarly adapted to sustain the virtues upon which some corresponding social fabric rests.

A monarchy cannot be permanent or well governed unless there prevail among the people a strong sentiment of loyalty to the sovereign. Nothing can so well cherish loyalty as the popular conviction that monarchy is deeply founded upon anal-

ogy to the Divine government. No habit is so favorable to civil obedience as that of obeying the commands of the Deity, simply because they are such. Prudence in avoiding collisions with the religious convictions of his people enables a sovereign to make religion the surest prop of his throne.

An aristocracy can neither govern well nor be permanent, unless there prevail among its members, and in its intercourse with its inferiors, a high sense of honor and courtesy. What so strongly urges towards self-respect as the opinion that we have in our own bosoms an infallible guide, urging us towards perfection by its encouragements, and deterring us from vice by its warnings? or how can we be so powerfully constrained towards courtesy as by the consideration that every person we meet, however disadvantageously or subordinately situated, has in his nature the same characteristic of manhood?

A democracy cannot long subsist without patriotism. Patriotism, in its most comprehensive sense, is love for all the citizens of our country, past, present, and future. He is the true patriot, who, gazing upon so much of this aggregate as is susceptible of being influenced by his acts, strives to do whatever will augment its happiness, in contradistinction to whatever pertains to the enjoyment of the present or of a few. Utilitarianism, looking to the happiness of the whole race, comprehends nations as portions of one homogeneous entirety.

The peculiarities of individuals also indicate different criteria of morality. Warm affections seek a perfect object, and in communion and coincidence with it find their consolations. What can be offered to the pious man as a substitute for the all-absorbing love of God? High-toned character obeys its own dictates, and is true to itself. What did the necessities and spirit of his age, or even the apparent disfavor of Omnipotence itself, avail to bend the principles of Cato, or to deter him from launching, alone with his integrity, upon the unfathomable waves of eternity? A powerful and active intellect looks behind authority, and ever strives to escape from undemonstrable hypotheses. What probability is there that a mind like that of Bentham would submit to any bonds save those of logic?

By the above remarks, we have perhaps sufficiently indicated

the opinion that neither of the criteria above referred to is entitled to exclusive regard, but that each is a test of the moral quality of actions, to be used in combination with the others. This opinion seems to admit of valid defence by an inductive process of reasoning.

General experience shows that, with some apparent exceptions, we act rightly when we seek to promote the greatest amount of human happiness. The exceptions seem to be cases in which we may have mistaken the proper means of augmenting general happiness. It further shows that, with some apparent exceptions, we act rightly in obeying our consciences. The exceptions seem to be cases in which our consciences may have been influenced by mistaken opinions. It further shows that, with some apparent exceptions, we act rightly in obeying the will of God. The exceptions seem to be cases in which we may have mistaken its dictates. Hence we may, in the true inductive spirit, conclude that the will of the Deity, the dictates of an enlightened conscience, and the tendency of actions to produce the greatest amount of human happiness, coincide; and that the coincidence is a part of the unity of plan which characterizes the universe.

It is, therefore, unwise to say, that, inasmuch as we do not find the will of God clearly revealed upon some specific point, or distrust the genuineness of an alleged revelation, we will comply solely with the behests of conscience, or of utility; or that, inasmuch as men's moral sentiments vary, we must look solely to Divine revelation, or, on the other hand, to our practical experience of the tendencies of actions; or that, inasmuch as man's faculties are feeble and his reasonings on so complex a subject as human action often unreliable, our own conscience or the precepts of revelation are our only safe guide. As well might we, in view of the frequency of optical illusions, desist from the use of the eye; or, having often been deceived as to the origin and direction of sounds, reject the assistance of the ear. Experience shows that, although he who is deprived of the use of one of his senses, or even restricted to the use of one, may obtain tolerably accurate ideas of nature, the most precise knowledge is gained by the concurrence of all our means of observation. If we mistake not, those who apply all

the various tests of morality most distinctly perceive the moral qualities of actions.

We see, however, little reason to anticipate that philosophers will discontinue their disputes concerning the criterion of morality. Men's opinions will probably always be shaped by the truths which individual temperament and the circumstances of society most forcibly suggest. In society, as in the individual, there are periods during which particular qualities, and the opinions to which they give rise, tend to prevail. Where piety is the virtue most cultivated, the criterion which it suggests takes precedence of others. Where integrity (in its most comprehensive sense) is most honored, men will most frequently appeal to conscientious motives. Where philanthropy is chief among the virtues, utilitarianism dominates. To him who deems one state of society more excellent than others, the moral criterion adapted to that state will seem preferable. He who believes that the future of society will be characterized by the permanence of democracy and the triumphs of science, will consider utility the criterion to which truth awards the palm; while he who foresees in the future a repetition of the past, with its innumerable and ever-changing conditions of knowledge and government, will be enabled to appreciate the fulness and variety of the provisions made in the natural economy for the moral wants of man.

The different modes of inculcating morality illustrate the subject. In our endeavors to form the infant character, we, in the first instance, neither reason upon utility nor appeal to conscience, but present the duty of obedience to authority, — at first human, then divine. In teaching youth, we appeal to conscience.* In addressing adults, we discuss the tendencies of action.

The object of practical morality is the determination of the moral qualities of actions, by reference to all of the above criteria. The object of ethics is the study of the various theories of the criterion of morality, their relationship to each

* It is worthy of remark, that professors who have dwelt most upon the authority of conscience have been most successful in university instruction. The success of Dugald Stewart is commemorated by Mackintosh. Stewart, however, in a primary school, would have been as much out of place as Bentham in a college.

other, to the temperaments of theorists, and the conditions of society.

II. We now inquire concerning the state of mind with which we regard the moral qualities of actions. The problem pertains to the departments of metaphysics and physiology. The mere metaphysician will never arrive at the solution of this or of any other question relating to the human mind. The mere physiologist cannot deal with its subtler aspects. The intricacy of the subject demands a combination of the results of their labors.

The theories of metaphysicians concerning the moral sentiments are susceptible of a classification very similar to the foregoing. Some have considered the moral sentiment a divine impulse, implanted in the human heart, urging the performance of good actions and deterring from vice. This opinion combines itself, more or less, with most systems of theology, and is pushed to its greatest extent in those which regard human nature as totally depraved, and as supernaturally strengthened by the addition, in accordance with a previous plan of the Deity, of an effectual disposition to act aright. Thinkers who have imbibed most thoroughly the views of Augustine and of Calvin upon the nature of the human will, and of God's government, have been the most prominent defenders of this view.

Others hold that the moral sentiments consist of one or more specific and innate tendencies of our nature, whereby we select good and eschew evil.

Others view the moral sentiments as complex intellectual and emotional states, arising from the association of simpler mental and emotional conditions. Amid thinkers of this class, differences prevail as to the number and nature of the simple ingredients of these compound internal conditions. Mr. Bentham attempts to explain the manner in which self-regarding emotions lie at the root of all our actions, but are so often unrecognized as motives. Mr. Bain makes conscience an "ideal resemblance of public authority, growing up in the individual mind, and working to the same end." Sir James Mackintosh, who has so well appreciated the difficulties of the subject, and done so much towards its solution, considers the moral sentiments to be secondary desires or emotions, acquired after the

exercise of the primary emotions, and designed to regulate and harmonize them. These desires are conceived as originating from association of the perceived tendencies of voluntary action with the primitive emotions. The views of these thinkers concur in recognizing, to a greater or less extent, the emotional character of the moral sentiments, and in attempting to explain the mode in which these sentiments attain their specific character.

It is at once apparent that there is a close connection between these three classes of opinions concerning the moral sentiments, and the three kinds of criteria of moral actions.

He who considers the revealed will of God to be the standard of moral duty may readily believe that the Being who has shown such interest in man's salvation as to make a supernatural revelation will furnish our frail nature with other supports, in the shape of special supernatural incitements to well-doing.

He who recognizes in himself an unerring feeling, to which he can assign no definite origin, urging towards virtue and deterring from vice, may readily pronounce such a feeling to be a separate, independent, and primitive part of his nature.

He who takes utility for his standard observes that it is a tendency of actions discoverable by the intellect, and yet that conscience is strongly emotional in its character. He may, therefore, readily look for some connecting link between the intellectual process and the emotion, among the general principles which govern the association of thought and emotion.

Accordingly, as reference to writers already quoted abundantly shows, there has been a considerable degree of coincidence between the respective criteria and theories. The coincidence, however, is by no means necessary or invariable. A man may recognize the will of the Deity as the standard of morality, and yet consider that its dictates are to be ascertained by reference to an internal monitor, so contrived that its suggestions shall coincide with the Divine Will, or, on the other hand, maintain that the Divine Will is only discoverable by an intelligent appreciation of the mode in which it is revealed in nature. He who holds conscience to be supreme may regard it as divinely implanted, illumined, and inspired, or, on the other hand, derive its supremacy from its

concurrence with the highest happiness of man. He who is guided by deliberate examination of the tendencies of actions may regard their conclusions as suggested in doubtful cases from above,* or, on the other hand, maintain that the most profound view of utility justifies implicit obedience to the natural sense of right and wrong.

As our views of the standard of morality adapt themselves to our characters and general circumstances, so do the classes of opinions concerning the moral sentiments correspond to the different stages of scientific development, designated by Comte as the religious, the metaphysical, and the positive. The correspondence between theories of the moral sentiment and the condition of science is not, however, always observable. A philosopher may, as Comte has so frequently pointed out, be in one department of thought religious, in another metaphysical, in another positive, and science may in its departments present the same incongruity.

A review of these theories of the moral sentiments will show that each has certain prominent good and evil tendencies, and also certain salient features of truth and error.

The opinion that we are impelled to good and restrained from evil by divinely communicated principles of action, tends to promote a feeling of love and dependence towards the Supreme Being. The opinion that our nature is so defective as to stand in need of such an impulse, tends to create feelings of contempt for that nature, which find vent in asceticism. The truth embraced in this view is not merely the general truth, that all phenomena have as their cause the personal agency of the Supreme Being, but the special truth, that the higher the phenomenon in dignity and complexity, the higher the manifestation which it makes of the divine qualities. As in the stupendous sway of the law of gravitation we perceive the Divine Power, as in the manifold varieties and adaptations of inorganic and organic existence we may observe the Divine Wisdom, so in the workings of the moral nature of man we may trace the parental love and care of God. The error of this view lies in the assumption that man, without supernatural

* This was the condition of feeling of Socrates.

interference, is the mere sport of the lower propensities of his nature.

The opinion that an infallible natural monitor resides in the human breast tends to present to the mind the preponderant nature of moral considerations, but places other emotions at a distance below conscience not warranted by the facts of the case. The proper relationship of conscience to the benevolent sentiments is that of the superior to the inferior, and not that of the infallible to the fallible. The theorist of this school, unless corrected in his practice by strong benevolent sentiments, is apt to slight the gentle and kindly emotions of our nature, and invest duty with unnatural asperities. This opinion embraces the truth that conscience is a primitive emotion, and the error that it gives us intellectual guidance in distinguishing right from wrong.

The opinion that conscience is a compound faculty, deriving its origin from the association of ideas and sentiments, tends to promote watchfulness of the thoughts of ourselves and those intrusted to our care, for the purpose of laying the foundations of character in pure conceptions and correct reasonings. It, however, tends to make men consider conscience a mere matter of opinion and education, thereby relaxing, to some extent, the stringency of the moral code. It embraces the truth that other faculties combine to form the directing power whereby conscience is moved, and the error that these faculties are conscience itself.

We have indicated by the above remarks our view of the requisites of a correct theory of conscience. Such a theory must acknowledge that the higher phenomena of voluntary action manifest in a peculiar way and to a superior degree the personal agency of the Deity in the government of the universe, and must, at the same time, recognize natural virtuous tendencies. It must admit the primitive and original character of conscience, but deny that that faculty is originally a spur to specific acts of virtue. It must admit that our opinions concerning virtue and vice result from education, but deny that conscience is a combination of the primary emotions.

The outlines of such a theory may now be presented. We may begin by considering conscience as first developed in

animals and young children. Some thinkers, who have commenced at the same point, seem to us to have failed to observe the entire phenomena. Mr. Bain, in defending his view that conscience is an ideal representation of external government, remarks that "the child's susceptibility to pleasure and pain is made use of to bring about this obedience, and a mental association rapidly formed between disobedience and apprehended pain, more or less magnified by fear. The peculiarity attending the kind of evil inflicted as a deterring instrument is the indefinite continuance, or, it may be, increase of the infliction, until the end is secured. The knowledge of this leaves on the mind a certain dread and awful impression as connected with forbidden actions, which is the conscience in its earliest germ." * These remarks seem to us to express the truth imperfectly. When a child is deterred by the brandished rod from committing an act, the manifest restraining motive is the emotion of fear. That such an instance of discipline associates the idea of the action with that of the punishment, is true. That a number of acts of disobedience connected with a number of instances of punishment received or threatened, give rise to the abstract idea of disobedience as a quality of actions and punishment as one of their consequences, so that the idea of a certain action calls up the idea of punishment, which in its turn arouses the emotion of fear, is also true. Suppose, however, that, in the absence of the parent, an impulse arises towards a particular act, not in so many words prohibited, and the question of its punishability presents itself to the child's mind. An inductive process is resorted to in order to determine whether it belong to the class disobedient, followed by a deductive process whereby the quality of punishability is ascribed or withheld. If the result is that the quality of punishability is predicated of the action, there arises a deterring impulse of an emotional character. This tendency, resultant upon a mental process whereby a quality is predicated of an action, we maintain to be conscience in its germ, and to be of a specific character. The difference between our view of the process and that of philosophers of this school is, that

* Emotions and Will, p. 315. See also, in the same place, a quotation from Mr. James Mill to the same effect.

while they resolve the intellectual act which is admitted by all to form one of its original constituents into a mere association of ideas, we view the reasoning process as specifically distinct from, and superior to, mere ideation, and that, while they view the emotional part of the process as an emotion of the lowest grade, we consider it to be an emotion of as distinct a character as that of fear, but of a much higher grade. In like manner, where the hope of praise or reward has been the original motive applied, and association has formed the idea of praiseworthy as a quality of actions, a like reasoning process with regard to a contemplated action would, in our view, give rise to an impelling emotion of like specific character.

It is, however, maintained that the emotions thus originated are but the simple and familiar emotions of fear and hope, notwithstanding the universally admitted fact that the adult consciousness attests a broad and palpable distinction. The assertion seems to rest purely upon inference from two assumptions. The conduct resulting from the action of the rudimental conscience is alleged to be the same as would be produced by fear, and the condition of the child's mind is declared to be the same. Identity of effect is, however, in this department of knowledge, very deceptive. If the hand be unwittingly placed against a heated substance, it is quickly withdrawn. The action of withdrawal is the same act which the fear of being burnt would occasion, had the danger been perceived. It is, however, a mere reflexo-motory act, resultant upon an impulse of a lower psychological rank than the emotion of fear, but somewhat analogous in character. If the eye is suddenly menaced by a foreign body, it is at once closed. This effect would be produced by the emotion of fear, were the danger perceived; but the act is merely senso-motory, resulting from an impulse lower than fear in the psychological scale, although higher than those which proceed from senses of a lower order than sight. The tendency of the childish conscience to induce abstinence from an act which the reasoning process has shown to be punishable may produce the same effect as fear, but be an emotion higher in psychological rank, although analogous in its conservative function.

The condition of the minds of children and animals labor-

ing under the rudimental conscience cannot be thoroughly explored, but seems distinguishable from fear by being less violent, and accompanied by a greater amount of intellectual effort. The countenance and gestures of a child or animal contemplating an act concerning the punishability of which a question is entertained, are generally characterized by painful dubiety rather than alarm. But, if it be contended that this distinction is not clearly observable, it still must be admitted that it is not absolutely disproved. To disprove it absolutely would rather devolve upon those who deny the conclusiveness of the adult consciousness upon this point.

According to this view, the moral sentiments are emotions preceded by intellectual processes whereby qualities are predicated of voluntary acts contemplated; in other words, by reasoning processes. Conscience is one of the emotional sides of reason, in the same manner as fear is one of the emotional sides of simple ideation, or as motion is the active side of sensation.

But as ideation is a vast and varied process, which has many emotional results, so reason is extensive and fruitful of resultant emotional conditions.

I may ascribe to an action the quality of promoting health. An impulse to perform the action follows the conviction, and is strong in proportion to the prevalence in my mind of sanitary considerations. I may conclude that another act would improve the acuteness of my senses. An impulse to perform it arises, powerful in proportion to the importance ascribed to taste or sight or hearing. I may infer that a certain position would enrich my mind with new and varied impressions. An impulse to assume it arises, powerful in proportion as extent of information and variety of mental impression are prized. I may decide that one course of mental discipline will strengthen the logical faculty, or that another will develop the benevolent emotions; and corresponding impulses arise, strong in proportion to my value of logical strength or emotional development. All of these impulses are emotional sides of reason, and as such present some similarity to conscience, but are clearly inferior in dignity to the fully developed conscience. The quality which the reasoning faculty ascribes to an action must, in order to awaken the specific impulse called con-

science, be conceived as promoting, not merely health or sense or ideation or emotion or intellect, but *the most comprehensive object of being which the mind has embraced;* some object in which all others are contained, or to which all others are subordinate.

The various standards which virtuous men have acknowledged coincide in constituting such objects. To comply with God's will, to obey conscience, to promote the greatest amount of happiness, are recognized respectively by the defenders of these criteria as constituting the highest objects of man's existence, whether that existence be considered as the preparation for a future state, or as terminating here, yet finding its highest happiness in harmonious development.

The kind of standard adopted depends to some extent, as has been shown, upon the laws of intellectual development. In many individuals the most comprehensive object of being which the intellect recognizes is so low and partial, that we may incur danger of concluding that the emotion which prompts to its attainment is selfish in character. We occasionally meet men who recognize no higher quality and object of being than pecuniary integrity, or patriotism, or fidelity to friends. In viewing that portion of their conduct of which they conscientiously approve, we observe an intellectual operation determining the conformity of an act to the standard adopted, followed by a specific impulse inciting or deterring. The intellectual process and the impulse are disinterested. It is true that the lower emotions may influence the intellect and corrupt its processes, so that the impulse which responds to these processes shall apparently coincide with the lower emotions. It does in such a case coincide with them in its tendencies to promote action; but the coincidence is that of two independent forces, and the observer who refers the conscience to the lower emotion commits an error similar to that of a moral agent who is apt to consider his lower emotions totally extinguished and merged in his conscience.

Conscience may, then, in our view, be defined as a specific influence urging us to perform such acts as the intellect considers conformable, and refrain from those which it considers not conformable, to the most comprehensive principles of con-

duct which the individual has adopted; or in other words, but with some sacrifice of clearness and with room for misapprehension, an original impulse to act upon general principles.

There are certain pleasures connected with the gratification of this impulse. An intellectual pleasure arises from contemplation of the conformity of actions with a moral standard, and resembles the pleasure which we derive from the contemplation of scientific truth. This pleasure has been blended with conscience itself, as was done by Malebranche when he defined virtue as consisting in love of the universal order as it exists in the Divine Reason, where every created reason contemplates it.

When an opinion is once formed as to the morality of a contemplated action, there follows a conscientious impulse, which is itself pleasurable, if allowed free action, but a source of uneasiness if baffled by the superior efficacy of some lower emotion. This is the genuine pleasure of well-doing, — a pleasure of mild and diffusive character, and of great permanence in its constitutional effects and intellectual persistency; while the misery of a baffled conscience is both acute and massive, although of less persistence. The proper gratification of this impulse consists in the performance of the various acts designated by the intellect as conformable to the acceptable standard.

As, however, the process of ideation implies sensations of which it is often considered an aggregation, as the reflective processes presuppose ideas of which they are often considered an association, so conscience implies original emotions of a lower order, to which it is so related as to be deemed by many to be composed of them as of simple ingredients. We recognize, however, the distinctness of an idea from an aggregate of sensations, of a reasoning process from a train of thought, and must, upon the same grounds, recognize the distinctness of conscience from the primitive emotions. This view, however, conducts us to a field of metaphysics much contested, and destined to be the theatre of future contests between those who would maintain the specific character of certain intellectual and emotional operations, and those who regard the mind as a unit.

ART. V. — *Messages of the President of the United States to Congress, with accompanying Documents relating to Mexican Affairs.* 1862–1866.

THE existing complications in Mexico are mainly attributable to the influence of the Mexican Church party. From the outset Spain governed the colony of Mexico by means of the clergy. The Church eagerly accepted its position. It formed an oligarchy more deeply rooted than any purely political class could be, because it controlled the consciences of the people. It was clothed by the government with great privileges. It acquired vast wealth, and held a large portion of the land of the country. Until the year 1810 Spanish ecclestiastical rule held Mexico in subjection. At that time Hidalgo raised the standard of revolt. The revolt was but the result of the liberal ideas of the age, which at length began to be felt in Mexico. The Church took its natural position, against those ideas, and in favor of the absolute government of Spain. From 1810 till 1821 a cruel and sanguinary war was the consequence, — a war of caste, native against the Spaniard.

But while this war was going on in Mexico, a change was taking place in Spain. Up to 1810, the policy of Spain had been to place all political power in Mexico in the hands of Spaniards. No one born in Mexico had any voice in the administration of affairs. But in the year 1821 the Spanish Cortes did two things as astonishing to the people as to the clergy. It curtailed the power of the viceroy, heretofore dependent only on the crown, and it took from the Church a part of its property and sold it for the benefit of the people. This necessitated a change in the policy of the clerical party. They had favored Spanish rule, because their wealth and influence would be more secure. From the same motive they now took a new position. In 1821 the Viceroy attempted to restore throughout the whole of Mexico the absolute power of Spain. For this purpose the command of the loyalist army was offered to Iturbide, a native Creole. Of elegant person, influential and attractive, he was to unite under the old rule native and Spaniard. With this under-

standing he assumed the leadership; but, instead of proclaiming the power of Spain, the Church compelled him to put forth in February, 1821, the famous document known as the Plan of Iguala, by which the Mexican nation was declared independent of Spain. Thus by the strength of the Church party,—a power created by Spain to keep Mexico in subjection, and which had done the work with an iron hand for two hundred and eighty-six years,—was Mexico freed from Spanish rule.

While Spain ruled Mexico, the Mexican Church was in communication with the Church in Spain, and had no direct relations with the See of Rome. But after the independence of Mexico the Pope ventured to acknowledge the Mexican Church, and despatch his Nuncio to the new republic. Under this order of things the concentration of ecclesiastical power became greater than ever. The Church attained an overwhelming strength in all the affairs of Mexico. It increased in wealth. It caused to be established what are known as *fueros*, or special privileges, by which it constituted itself a religious and moneyed hierarchy, controlling all affairs, secular and ecclesiastical. It was not amenable to the laws of the republic. It owned immense territories, and held innumerable mortgages, of which there was no record, and which were not subject to taxation. So that, although Mexico, in 1821, became independent of the despotic rule of Spain, it at the same time fell more than ever under the tyrannical and unyielding rule of the Church.

In direct opposition to the ascendency of the Church party, however, there sprung up a Liberal party. From 1821 till 1857, the different revolutions, seemingly inexplicable, which have harassed Mexico, confused its history, and wearied the world, have been due entirely to the antagonisms of these two parties. Their alternate triumphs and defeats have produced, in the space of thirty-three years, thirty-six different forms of government, represented by seventy-two individuals, who have, as the chief executives of the nation, under different titles, and with various fortunes, appeared and disappeared in the vortex of events. It is unnecessary to speak in detail of these changes. It is sufficient to say, that all the while the Liberal party was gaining strength and consistency, and preparing the people to throw off the incubus that had so long

oppressed it. In 1857 it made a vigorous attempt to reform the government. Up to this time the Church property and Church revenues had been protected by the government. With a kind of parental fondness, it had invested the priest and the soldier with the privilege of being tried by special tribunals, constituted by themselves. It had declared the Catholic religion to be the exclusive religion of Mexico; it had placed the press under strict censorship; and had limited immigration solely to persons from Catholic countries.

The Liberal party, represented by the Constitutional Congress assembled in Mexico in 1857, overturned with one blow this whole system. This Congress declared the establishment of a constitutional federal government, freedom and protection to slaves who entered the national territory, freedom of the press and religion, the subordination of the army to the civil power, and the opening of the country to unrestricted immigration. But its great act, levelled directly at its old antagonist, the Church party, was the nationalization of two hundred million dollars' worth of property held by the clergy. In February, 1857, this Congress completed its work. On the 16th of September the new government commenced its life under the presidency of Comonfort, who took the oath to support it on December 1st of the same year.

These reforms were but the embodiment of the ideas evolved in the previous struggles of half a century. It never entered the minds of the Church party, however, to submit quietly to the new order of things. It began by compelling the honest but feeble Comonfort to break his oath, and to set aside the constitution in just sixteen days after he had sworn solemnly to support it. Comonfort's subsequent career was one of indecision. He pronounced in favor of the Church party, and presented a plan of government of his own. In order not to be opposed he arrested Juarez, the President of the Supreme Court, upon whom, by the constitution, the office of President of the Republic devolved in the absence or default of the person elected. He soon perceived, however, that he was merely the tool of the clerical party, and had been made by them to play a contemptible part; he therefore arrested their leader, Zuloaga, who was already aspiring to occupy his posi-

tion. At the same time, in spite of himself, he was compelled by the strength of party spirit to liberate Juarez.

Juarez, set at liberty on the 11th of January, 1858, repaired to Guanajuato, and organized there the constitutional government. In the mean time Comonfort, abandoned by the Liberals whom he had betrayed, and by the Church party for his vacillating course, relinquished, of his own accord, the presidency, and on the 15th of January assumed the position of general-in-chief under Juarez. On the 22d of January, the national palace being vacant, the Church party took possession of it, declared Zuloaga President, and obtained from the Diplomatic Corps his recognition. On the 30th of January, 1859, Zuloaga was set aside by the same party that had raised him to power, and the presidency conferred by them on Miramon. Again the Diplomatic Corps recognized Miramon as the President of the Republic, at the instigation of the Church party. But on the 17th of November, 1860, he was utterly defeated by the Liberal army under Juarez, and fled from Mexico. In December the constitutional army entered the capital without resistance, and on the 11th of January, 1861, Juarez was peaceably installed in the place whence, three years before, he had departed.

To comprehend exactly the position of Juarez to-day, we must bear in mind, with this summary of events, two facts, each equally important. The first is, that the Church party had never overthrown the constitutional government; on the 22d of January, 1858, Comonfort having relinquished the presidency, the Church party took possession of the capital, not as a conquered, but as an abandoned post. But Juarez had already, under the constitution, organized a government at Guanajuato, and had notified foreign ministers of the fact. If, therefore, the constitutional government had never ceased to exist, the insurrectionary party under Zuloaga had no claim to the quality of the government *de facto*. The other fact is, that the Diplomatic Corps, through the instrumentality of M. de Gabriac, the French Minister, recognized this party as the government *de facto*, and thereby gave to it a certain character and a moral prestige which otherwise it never would have had. This action misled people abroad, and

held in power for the space of three years the Church party, enabling them to keep the country during this time in a state of civil strife, and to prolong a struggle with the government of Juarez which otherwise might have been ended in three months. It gave to this party, moreover, the opportunity to do certain acts and commit certain enormities which, in 1861, the three great powers of Europe thought a sufficient pretence to justify an armed intervention in the affairs of Mexico. These acts and enormities were the forcible seizure of the British bondholders' money by Miramon, November 16th, 1860, the making of the Mon-Almonte treaty, so called, with Spain, and the decree of October 29, 1859, known as the Jecker Bond Contract.

The rebellion by which the Church party had lifted Miramon into power had been sustained by the money of the clergy. It was reasonable to suppose that the hoards of wealth accumulated in the Church would continue to maintain it. Not so, however. About the middle of September, 1860, the supply gave out. So Miramon, with no scruples certainly, and with but little fear of the consequences, resolved to seize upon £152,000 sterling, belonging to English bondholders, which had been deposited in the safes of the British Legation, doubly protected by the British flag and by the seals of the office bearing the arms of England. General Leonardo Marquez was charged with the expedition. Under his orders Colonel Jauregui, at the head of a party of armed men, broke into the house of the Legation, and in spite of the English flag, English seals, and the protest of the Spanish Minister, who happened to be present, took away the £152,000 sterling deposited there for safe-keeping by the agent of the bondholders. About a month before this, Miramon had called together twenty-six capitalists, and had told them in pretty plain terms that he must have £100,000, with which he undertook to whip General Ortega, who had defeated him forty days before near the town of Silao. But this money was not enough; the Liberal army was pressing him on all sides; his men were exasperated by their wants and defeats. So he resolved upon and accomplished the robbery of the house of the British Legation. This was substantially the ground of England's complaints against Mexico.

A year before this event occurred, September, 1859, the insurrectionary government, through Almonte, concluded a treaty at Paris with Spain, known as the Mon-Almonte treaty. This treaty recognized the validity of certain Spanish claims denied by the constitutional government. To understand the conditions of this treaty, it is necessary to bear in mind that the Mexican debt has always been divided into two branches, the internal and the external debt. The one is a privileged debt, the other subject to the fluctuations which have disturbed the government for the last forty years. The internal debt is made up of sums due to the citizens of Mexico, and the government has always held that nothing could divest it of its character of a debt essentially Mexican, and to be paid in any event. The Spanish government contended that the bonds of the foreign debt, bought by foreigners in the market at the lowest price, should be placed on the same footing with the privileged debt owed by the government to its own citizens. This demand had always been resisted; hence arose a conflict between the two governments, which, in 1857, under the presidency of Comonfort, had resulted in the temporary suspension of payment of the whole Spanish debt. But the insurgents, in order to testify their gratitude to Spain, whose sympathy had been with them, authorized Almonte to comply with this claim, so that one of the results of the triumph of the reactionary party was the Mon-Almonte treaty. Upon the overthrow of the insurrection, the treaty, of course, fell to the ground. The constitutional government gave notice that it could not recognize any of the acts of the rebellion, and certainly not the treaty. This was substantially the ground of Spain's complaint against Mexico.

We now come to consider the Jecker Bond Contract, the pretext which France seized upon to justify her invasion of Mexico. Jecker was a needy Swiss banker, who came to Mexico to build up his fortune, and who in twenty years by foreign commerce had amassed three millions of pounds. In possession of a sum so considerable, he plunged into a variety of industrial schemes, and by his speculations in 1857 he became embarrassed. But there was at that time in Mexico another man still more embarrassed. That man was Miramon.

The Church was drained; the Liberal army was on one side of him, his own rapacious troops on the other. With empty coffers he turned to Jecker for money. The two concocted a scheme to replenish the coffers of both. It was this. On the 29th of October, 1859, a decree was published in the name of the reactionary administration, creating a paper issue of £3,000,000 sterling. By the articles of this decree, the bonds issued by it were to be received in part payment of all taxes and duties which should be imposed. It was also provided that they should bear an annual interest of six per cent, that half of the interest should be guaranteed for five years by the house of Jecker, and that the holders of old bonds could convert them into Jecker bonds by paying into the hands of Jecker a sum of twenty-five per cent for the "revalidation" of bonds of the old internal debt, twenty-seven per cent for bonds created by the law of November 30, 1850, and twenty-eight per cent for the bonds created by the famous Peza law. Jecker, then, was the banker whose signature was to authorize the issue of the bonds. £3,000,000 were to be issued by him, but the whole amount the scheme was ever calculated to produce in the gross was but £750,000. Of this sum Jecker, for conceiving and carrying out the brilliant idea, was to receive five per cent, or one twentieth of the total issue; in other words, £150,000. He was also to receive and hold the interest which was to be paid for the loan, which was £450,000, so that in reality all that could ever get into the hands of Miramon, supposing that the contract had been carried out in accordance with the decree, was £150,000. But the contract was not carried out according to the terms of the decree of October 29, 1859. It was violated by Jecker himself. It was modified to suit his convenience. Both Jecker and the reactionary government made and unmade, according to their interests, the agreements they signed; but, above all, they materially altered the basis of the legislation under which they acted. Finally Jecker proposed, and Miramon accepted, a modification of the contract, by which the administration was to receive nominally the sum of £287,554. Of this sum £123,785 only was to be hard cash; the balance was made up of £73,600 for clothing furnished the army by Miramon's nephew, of bonds, bills, credits,

— in fact, the scoriæ of all stock-jobbing operations in Mexico for the last forty years. For this sum the public treasury undertook the reimbursement of £3,720,000. In other words, Miramon was mortgaging the public revenues of the country for an indefinite period, for the purpose of hiring money at the rate of about ninety per cent. The whole transaction shows that the contract was the desperate expedient of an expiring rebellion. It was not carried out, however, according to the last modification; Jecker failed to execute his part of it. About the middle of May, 1860, the house of Jecker suspended payment, and the bonds passed into the hands of his creditors.

It is true that each of the allied powers made other charges against Mexico. In 1859 Marquez ordered the frightful massacre of Tacubaya. On the 8th of April, this man, with six thousand soldiers and forty pieces of artillery, laid siege to that place. At noon the same day, Miramon made a junction with him. Having carried the intrenchments and laid waste the village, they both went straight to the hospital, where the wounded of both sides lay huddled together. They found here seven surgeons, generous and devoted men. Marquez seized them, and in cold blood slaughtered them, together with all the wounded prisoners. Among these seven surgeons was one of English descent. But at the time the English Minister not only made no protest against the inhuman act, he did not think it worth the while to mention the fact; and if the British government was afterwards informed of it, it was through private correspondence.

Spain made the dismissal of M. Pacheco another ground of complaint. Juarez entered the capital, January 11, 1861, and immediately afterwards gave summary notice to the Spanish Ambassador, to the Papal Nuncio, and to the Ministers of Ecuador and Guatemala, to leave the Mexican territory, in consequence of their declared hostility to the lawful government. This act was rendered necessary by the circumstances, and justified by the conduct of the ambassadors. It in no way violated international law, for if governments may refuse admission into their territory to foreign agents on the ground of suspicion that they are in league with its enemies, *a fortiori* they may

dismiss them when these suspicions by overt acts have been changed into certainty. It was to the lawful government established at Vera Cruz that M. Pacheco should have presented his credentials. Instead of doing so, he had chosen to remit them to the chief of the rebellion. He thus divested himself of his ambassadorial character, and became identified with the party whose fortunes he was bound to share.

France was not by any means behind the other two powers. She had another claim against Mexico. It was for the sum of $12,000,000, being the grand total of all reclamations, good, bad, and indifferent, made on account of various alleged wrongs committed by Mexico up to the year 1861.

But it is evident that the seizure of the British bondholders' money, the refusal to carry out the provisions of the Mon-Almonte treaty, and the plump repudiation of the Jecker contract, were the main pretexts upon which the three powers relied to justify their combined attack upon Mexico.

With respect to these grounds of complaint there is this much to be said, applicable alike to all. They were the acts of an insurgent government, done while the constitutional government was in existence, and against its protest. They could not therefore be binding upon that government. The constitutional government, so long as it existed, represented the nation. It alone had power to make contracts, sign treaties, or issue decrees, and as a consequence hold the nation to their performance. This point is beyond all possibility of dispute. It becomes an imperative necessity, therefore, to demonstrate that the real government had succumbed under the assaults of the reactionary party, before France, England, and Spain can be justified in their course.

As the last two powers have left France alone to carry on the war, it becomes necessary to say a few words more about the Jecker contract. It is readily seen that it was a transaction between the firm of Jecker and a revolutionary party, undertaken for the purpose of subverting the legitimate government. Jecker, therefore, committed the grave fault of contracting with an insurrection incapable of contracting. The whole thing was void *ab initio*. As a result, if the rebellion failed, Jecker must go down with it, for no government could be compelled to pay

a debt contracted for the purpose of enabling an insurgent party to make war against it. Though, therefore, the Minister of France at Mexico, M. de Saligny, asserted it to be an undisputed principle, that the various governments which succeed each other in a state must recognize international engagements undertaken by them, he overlooked the very important fact upon which the whole thing hinged; namely, that the administration of Miramon was not recognized by Mexico as a government at all, but as an unsuccessful insurrection.

In spite, however, of these pretexts, put forth with so much parade, the progress of events in Mexico has developed with unexpected clearness the real cause of European intervention. The rebellion of 1857 had been put down. The constitutional government had been established, and with it the reforms that had taken from the Church party so much of its wealth and so many of its privileges. What was the next step of this party? As a last resort, they determined to seek the aid of foreign intervention, hoping by some fortunate turn of events to build up a monarchy upon the ruins of the republic, and, by placing upon the throne a European prince, to obtain a repeal of the odious laws. For this purpose, Miramon, Almonte, and others of like stamp, labored to create the belief abroad, that Mexico was incapable of self-government, and unfitted for free institutions. The idea which they sought to convey was, that that country was so weary of agitation, that there would be no difficulty to be met with; that, as soon as a European flag should appear on its shores, there would be a general uprising, and that the prince who should be sent there would be received with acclamation, and would ascend a perfectly solid throne. Thus they gradually prepared the way for foreign intervention, while they used means to render intervention inevitable. They did what they set to work to do. Five months after the beginning of the expedition against Mexico, May 27, 1862, the London Times says: "We now understand the origin of the whole affair. The monarchy with the Archduke Maximilian for Emperor was the idea of certain Mexican refugees, members of the reactionary or clerical party in Mexico, and partisans of Marquez and other ruffians whose misdeeds have been among the principal causes of our intervention. If Ferdinand

Maximilian goes to Mexico, he will find his most active friends among the men who have shot, tortured, and robbed until Europe has lost its patience." That French intervention had been thought of, and had been finally brought about, by the reactionary party, appears more clearly still from the protest of the supreme tribunal of Mexico addressed to the regency because that body had refused to repeal the laws of the Liberal government aimed at the Church. This tribunal alleges that these laws "are wanting in the most essential thing, justice, and to put them into practice it was necessary to have recourse to the ominous means of force. To avoid them, and *for that reason only*, the Mexican people were obliged to recur to the last extreme, the last supreme effort left them, and that was to solicit aid from a foreign land. And when France extended hers she understood their true position, and felt the evils that surrounded them, helping to apply the remedy." As this party, therefore, in 1821, in order to thwart the reforms of the Spanish Cortes, wrested Mexico from that power, it now for the same purpose sought by means of foreign intervention to bring Mexico back to a monarchical rule.

The three powers having for the reasons alleged by them agreed to invade Mexico, the next thing to do was to sign a convention. In October, 1861, this was done in London. This convention provided that the contracting powers should send equal naval forces, and that the number of troops should be proportioned to the number of their subjects resident in Mexico. It is to be observed, that the powers solemnly declared in this agreement, that they would not meddle in the politics of the country, but only demand the sums due to European governments and to individuals. It was then provided that, in case of refusal, they should take possession of Mexican ports, one half of whose revenues should go to liquidate their claims, and the other half be left to the Mexican government. The ports were not to be occupied permanently, but only as a pledge. The commanders of the three squadrons were to take measures to secure a settlement of the demands claimed, but neither of them had power to bargain for special privileges. An effort was to be made to pacify the different factions; but the Mexicans were to be left free in the choice of the government.

Upon the signing of the convention active preparations were at once commenced by the allied powers. The whole thing was managed so adroitly by France, that the other two governments did not know, until after the expedition was begun, what was demanded by that nation of Mexico. In fact, the ultimatum of France was not drawn up till after the arrival of the expedition at Vera Cruz.* Two of its clauses were at once contested, Articles I. and III. These articles were as follows:—"Art. I. Mexico engages to pay France a sum of $12,000,000, at which amount are calculated the total French demands consequent upon events which have occurred up to July last, with the exceptions stated in Articles II. and IV. below." "Article III. Mexico shall be held to the full loyal and immediate execution of the contract concluded in the month of February, 1859, between the Mexican government and the firm of Jecker." As soon as Lord Russell was informed of these demands by Sir Charles Wyke, he wrote to the English Ambassador at Paris: "It is surely not possible that reclamations so excessive as $12,000,000 in mass, and without detailed accounts, and that $18,000,000 for $750,000 received, can have been made with any hope of their being entertained." General Prim took the same view of the matter. M. Thouvenel hastened, by a despatch sent February 28, 1862, to M. de Saligny, to soften down the absolute nature of the demand. Although he contended that no one of the three powers had the right to exercise a binding control over the claims presented by any of them, he instructed M. de Saligny to be less exacting in the point of the Jecker contract, if it was to be the occasion of a disagreement between the Ministers of the different countries. But it had already made a disagreement, Spain and England thinking alike, and in opposition to France. This disagreement was the natural result of events. In France the ideas of the Mexican exiles had been received with great favor. It was thought that it was possible not only to pacify Mexico, but to establish a monarchical government there with a European prince. England had no such idea. And when

* "Ultimatum from the French Commissioners in Mexico." 38th Congress, 1st Session. Senate Ex. Doc. No. 11, page 172.

Spain, dreaming of the grandeurs of a monarchy in Mexico represented by a Bourbon prince, wanted to join in the scheme, and opened negotiations with the English Cabinet, she was told in the most formal manner that England wished only to hold the ports of Tampico and Vera Cruz. France, on the other hand, did not tell her that they should confine themselves to holding Tampico and Vera Cruz. They entered into the monarchical ideas of Spain, but they gave her to understand that they could not adopt a Spanish prince. This cooled down the ardor of Spain, and then she gave her adhesion to the English plan, and agreed with England that the claim specified in Article III. of the ultimatum of France "was not one of those engagements which deserved such protection as that it should be necessary to lay down the execution of it as one of the conditions of the ultimatum." *

On the afternoon of January 6, 1862, the allied squadrons arrived at Vera Cruz. On the 7th, the troops were disembarked, the English landing 800 men, the French 2,800, and the Spaniards 6,300. On the 9th, General Prim, who took command of the expedition, occupied Vera Cruz and the castle of San Juan de Ulloa. The next day a proclamation was issued, in which it was announced that the expedition was not for the purpose of conquest, or to revolutionize the country, but to see that justice was done and protection afforded to citizens of foreign nations.

Having landed these troops, and issued this proclamation, the allies came to a dead halt. The Mexicans did not oppose their advance, but retreated to the interior, and cut off supplies. To conquer Mexico with a force which hardly reached ten thousand men was an absurdity. To advance to the capital over a difficult road, occupied by a vigilant enemy, was impracticable. To remain where they were and subject themselves to the vomito, sure to be fatal to unacclimated strangers, was suicidal. What was to be done? Beside, General Prim saw that the people of Europe had been deceived. The monarchical party, which was to rise on the first appearance of the European flag, made no sign whatever. What he did

* Speech of M. Thiers, Corps Legislatif, January 27, 1864.

see was a marked movement of the country in favor of Juarez, because he was threatened by foreign nations. Already the Spaniards had two thousand sick, and the number was increasing every day. Something must be done. The allies therefore entered into negotiations. General Prim was entrusted with the management of the affair. He agreed to meet the Mexican General Doblado at the little village of La Soledad.

From this meeting originated the famous convention known as the treaty of Soledad, signed February 19, 1862, by Count de Rens for Spain, afterwards approved by Sir Charles Wyke and Admiral Dunlop, and finally accepted provisionally by the representative of France. This treaty displays great diplomacy on the part of Mexico. It allowed, it is true, the allies to leave the pestiferous shores of Vera Cruz, and to occupy the highlands of Orizaba. But this advantage was a seeming one, for, if negotiations ceased, they were to retire to their original position. But what is more to the point, it was an acknowledgment on the part of the allies that the government of Juarez was the *de facto* government; it allowed the flag of Mexico to float beside the flags of Spain, England, and France; and above all, it gave time to Juarez. The convention in Mexico astonished the cabinets at home. Both England and Spain at first objected to some of its stipulations. But in the end the Spanish Cortes gave its unreserved approval of the course pursued by General Prim, and Lord Russell was satisfied that British grievances should be settled if possible by negotiation. M. Thouvenel, however, did not regard matters in the same light. It was not according to the programme of Napoleon. French troops had been sent to Mexico to fight, not to negotiate. What he demanded was not only redress for wrongs, but a government that would give guaranties for the future.

Further negotiations had been postponed till the 15th of April. In the mean time, Almonte, the most active agent of the monarchical party in Europe, came to Vera Cruz. On his arrival he announced that he had received a commission to re-establish a monarchy in Mexico in favor of an Austrian prince. Sir Charles Wyke, who was always exact in following his instructions, asked him in the name of what government he spoke? Certainly not in his, for he had orders quite to the contrary.

General Prim declared quite as positively that Spain had no such ideas. Almonte replied that he had the confidence of the French government, and that he acted by the authority of Napoleon. This gave rise to a very serious question. It did not look much like settling grievances by negotiation, when at the same time the allies received into their camp a man who at once announced his intention to revolutionize the country. It became evident that the representatives of France had received special orders, and that these orders were favorable to the plans of Almonte. They refused to exclude him from their camp, at the command of Juarez, and, finding that this refusal was considered by General Prim and Admiral Dunlop as a violation of the convention, they left Tehuacan without consulting them. A conference was requested at Orizaba. Angry altercations took place between the leaders. M. de Saligny did not pretend to conceal the fact that he had never wished to negotiate with Juarez, and that he had always been of the opinion that a monarchy should be established in Mexico. The result was a separation, on the 9th of April, 1862. The English and Spanish forces embarked at once, and left the French alone in Mexico.

It is plain that the Jecker claim, which neither England nor Spain knew anything about when the convention was signed in London, which had been broken by Jecker himself, and was therefore void, which had been made with an unsuccessful insurrection and therefore was not binding on the constitutional government, was the prime cause of the rupture between the three powers. The disagreement began in Mexico. The first thing that was done there was what ought to have been done before they started. Each party set forth its claims against Mexico. When these claims were added up, it was found that they amounted to the grand total of $40,000,000. Now to demand of a nation $40,000,000, when its whole yearly revenue never amounted to $10,000,000, was somewhat embarrassing. The claimants were just in this state of embarrassment when M. de Saligny declares that this is not all, France has another demand, and produces the Jecker debt, by which $18,000,000 more were to be added. This was the beginning of the rupture. The real cause of the separation, behind and deeper than the refusal to expel Almonte, was

that France went to Mexico with a different purpose from that of England and Spain, namely, with the resolution of founding there a monarchy in favor of an Austrian prince.

It may be that this separation was what was desired by France from the outset. At any rate, after the summary departure of the allies, she entered upon the conquest of Mexico with increased vigor, and with a more open purpose. Even the unfathomed Emperor permits us to see in a shadowy manner his object. General Forey is appointed commander-in-chief of all the forces, and must advance on the capital without delay. Napoleon thinks it useful, as he is to be invested with military and political power, to make him acquainted with his ideas. They were as follows.

"This is the line of conduct you are to pursue: — 1. To issue a proclamation on your arrival, the principal ideas of which will be indicated to you. 2. To receive with the greatest kindness all Mexicans who may join you. 3. To espouse the quarrel of no party, but to announce that all is provisional until Mexico shall have declared its wishes; to show a great respect for religion, but to reassure at the same time the holders of national property. 4. To supply, pay, and arm according to your ability the auxiliary Mexican troops; to give them the chief part in combats. . . . . The end to be attained is not to impose upon the Mexicans a form of government which will be distasteful to them, but to aid them to establish, in conformity with their wishes, a government which will have some chance of stability, and will assure to France the redress of the wrongs of which she complains. . . . . It is not to be denied that, if they prefer a monarchy, it is in the interest of France to aid them in this path. Persons will not be wanting who will ask you why we propose to spend men and money to establish a regular government in Mexico. In the present state of the world's civilization, Europe is not indifferent to the prosperity of America, for it is she which nourishes our industry and gives life to our commerce. It is our interest that the United States shall be powerful and prosperous, but is not at all to our interest that she should grasp the whole Gulf of Mexico, rule thence the Antilles as well as South America, and be the sole dispenser of the products of the New World. . . . . If, on the contrary, Mexico preserves its independence and maintains the integrity of its territory, if a stable government be there established with the aid of France, we shall have restored to the Latin race on the other side of the ocean its force and prestige."*

* Letter of Napoleon to General Forey, July 3, 1862.

Forey's work is pretty clearly mapped out for him. There is nothing left but to do it. He attacks Puebla, which Juarez had strongly fortified, and which in fact protected the capital. After repeated assaults the French carry the intrenchments, and rout Comonfort, whose disorganized army falls back pell-mell upon the city. Forey follows, and enters Mexico amid tumultuous demonstrations of joy from the clerical party and the French residents. In the mean time, Juarez, with his officials and his records, retreats to San Luis Potosi. Forey made his entry into the capital on the 12th of June, 1863. In just four days from this time, M. de Saligny concocts for Mexico a system of government. To use his own words, it was the result of a long and deep study of the situation and necessities of the people. By some process which the Mexicans had not yet found out, it was to place the country far along upon the road of social and political regeneration, and dry up forever the sources of evil by which she had suffered. In this scheme the people of Mexico had no voice, it is true; but that was impossible, for outside the city the whole country was in arms against the invaders. But the capital was enough for his purpose. That contained two hundred thousand inhabitants. Among them, M. de Saligny says, were the most illustrious citizens of the state, men of intelligence, accustomed to political life and public affairs.* But what was more to the purpose, it was the centre of all the traitors to the cause of Mexican liberty; it was the head-quarters of the reactionary party; it was the citadel of that political and priestly cabal which had, for the last forty years, plotted against its rights.

As the first step necessary to reconstruct Mexico, General Forey silences the press. This being done by the decree of the 16th of June, 1863, he announced to the Mexican people the plan of government which is the result of the deep study of M. de Saligny. First, a superior Junta composed of thirty-five members was established. This Junta was to nominate a Regency composed of three citizens, to whom were given the executive power of the state. The Junta itself was divided into various committees to deliberate upon ministerial questions. In addition to this the Junta was to associate itself with two

* Letter of M. de Saligny, June 16, 1863.

hundred and fifteen other persons, and the two bodies together formed the Assembly of Notables, who were to decide upon the permanent government of Mexico. The decision of this question must be by a two-thirds vote; but if the desired vote cannot be obtained in three days' balloting, the Assembly was to be dissolved, and a new one formed, to which members of the former were eligible. The Regency had the power of vetoing the acts of the Assembly. Now, as the Junta was appointed by Forey, and as the Junta was to nominate both the Regency and the Assembly of Notables, upon the last of which bodies devolved the duty of declaring the permanent government of Mexico, it follows that the government to be established was nothing in fact but the government of the French Emperor, about which the Mexican people had absolutely nothing to say; for, with all the deep study which M. de Saligny had given to the subject, the very obvious idea of consulting the views of the people never occurred to him.

Forey at once nominated the thirty-five members of the Junta. It has been incorrectly stated that "representatives of all parties" were included in this Junta. It was composed of men selected from the most ultra Church party, and they elected as the Regency the traitor Almonte, the Archbishop of Mexico, and José Mariano Salas. The Junta then undertook the organization of the Assembly of Notables, and although but two hundred and fifteen members were required, two hundred and fifteen men could not be found who could be trusted, and so the Assembly was never fully completed.* However, without waiting to comply with the terms of the decree, the Notables set to work on the 11th of July. It was a grave piece of irony to insert a clause in the decree, that the Assembly should be dissolved if they could not agree in three days' balloting upon a form of government. It was a graver one to declare solemnly that a two-thirds vote was required. On the same day, by a unanimous vote, almost without discussion, they declared that the Mexican nation adopted as its form of government a limited hereditary monarchy with a Catholic prince, and that the crown should be offered to his Imperial Highness Maximilian of Aus-

* M. Romero to Mr. Seward, February 20, 1864.

tria. If, under circumstances which could not be foreseen, Maximilian should not accept, Napoleon was requested to indicate a substitute. On the 18th day of August, a deputation headed by Estrada, formerly Minister of Mexico to the court of Rome, left Vera Cruz for Miramar, to offer the Archduke the crown. In this whole proceeding there is nowhere found any intimation that the vote of the Assembly was to be ratified by a vote of the people. The decree of Forey, by which the Junta and Assembly of Notables were created, nowhere refers to an appeal to the people. The articles of this decree which relate to the form of government are thus stated: —

"Art. 14. The Assembly of Notables shall occupy itself especially with the form of the *permanent* government of Mexico. The vote on this question must be such that two thirds of the ballots cast, at least, shall be necessary for a decision."

"Art. 17. The Notables shall occupy themselves, after having determined on the form of the *permanent* government, with such questions as may be laid before them by order of the executive department."

"Art. 23. The functions of the executive department shall cease from the moment of the inauguration of the permanent government proclaimed by the Assembly of Notables."*

The Assembly of Notables, therefore, in their haste to fasten upon Mexico a monarchy, went a little out of the course laid down in the imperial programme. Under the spur of the same motive they made another seeming mistake. The Emperor, in his letter to General Forey, had said: —

"When you shall have reached the city of Mexico, it is to be desired that the principal persons of all political shades who shall have embraced our cause should come to an understanding with you to organize a *provisional* government. The government will submit to the Mexican people the question of the political *régime* which is to be definitively established."

But the Assembly did nothing of the kind. They declared that the nation had adopted the monarchy as a *permanent* government. Consequently M. Drouyn de Lhuys hastened to remind General Bazaine that the programme of the Emperor must be scrupulously followed. On the 17th of August, 1863, he wrote: —

* 38th Congress, 1st Session. Senate Ex. Doc. No. 11, pp. 255–257.

"We have noticed with pleasure, as a symptom of favorable augury, the manifestation of the Assembly of Notables in Mexico in favor of the establishment of a monarchy and the name of the prince called to the empire. But as I indicated to you in a former despatch, we can only consider the vote of this Assembly as a first indication of the inclinations of the country. With the great authority which attaches to the men of mark which compose it, the Assembly recommends to its fellow-citizens the adoption of monarchical institutions and designates a prince for their suffrages. It is now the part of the provisional government to collect these suffrages. I shall not indicate to you the mode to adopt to completely obtain this indispensable result. It must be found in the institutions of the country and its local customs."

Words like these look well in a despatch, but the vote never was and never could be taken. In all the events which have occurred so far, the concealed purpose of France can be seen, always carried out, running along side by side with its declared purpose, never carried out and never intended to be carried out. The declared design, namely, the submission of the monarchical government to the suffrages of the Mexican people, was never afterwards thought of.

In the mean time, buoyant with success, the Churchman Estrada and his party proceeded to Austria, and on the 3d of October, 1863, obtained an interview with Maximilian. Estrada offered him the crown. The Archduke replied in conformity with the line of conduct traced by the French government: —

"I am profoundly grateful for the wishes expressed by the Assembly of Notables. It cannot be otherwise than flattering to our house, that the thoughts of your countrymen turn to the descendants of Charles V. It is a proud task to assure the independence of Mexico under the protection of free and lasting institutions. I must, however, recognize the fact — and in this I entirely agree with the *Emperor of the French, whose glorious* undertaking makes the regeneration of Mexico possible — that the monarchy cannot be established in your country on a firm and legitimate basis, unless the whole nation shall confirm by a free manifestation of its will the wishes of the capital. My acceptance of the throne must then depend upon the result of the vote of the whole country. Further, a sentiment of the most sacred duties of the sovereign requires that he should demand for the proposed empire every necessary guaranty to secure it against the dangers which

threaten its integrity and its independence. . . . . I beg of you to communicate these my intentions, frankly expressed, to your countrymen, and to take measures to obtain from the nation an expression of its will as to the form of government it intends to adopt."

With this coquettish reply Estrada and his associates were obliged to be content to return to Mexico.

But meanwhile events had taken place in Mexico which compelled the Church party to take a new position. On the day that the Notables decided to offer Maximilian the crown, they also decided that, until his arrival in the country, the Regency should exercise the powers of sovereignty. Now that the French had possession of the capital, and had successfully inaugurated a government, chief among the ministers of which was the Archbishop of Mexico himself, the Church believed, and with the best grounds, that the laws made by the Liberals which had stripped them of their property would be repealed, and that their former influence in the state would be restored. But here a grand difficulty arose. This very property had been bought by numbers of French citizens. If the demanded restoration should be made, bankruptcy would follow. As France had pretended that one of its causes of intervention was to protect the rights of these people, it would hardly do, as one of its first acts, to take from them property to which they had a good title. It may be that Napoleon saw that his true position was not on the side of the Church party, — that, if he would "regenerate" Mexico, he must crush this party. It may be that he was working out a policy of his own, of which as yet no one knew the end, and which in its execution would trample alike on liberal and conservative. At any rate, he instructed the Regency not to annul the laws. So that, though he sent his army to Mexico as an ally of the monarchical party and to set up a despotic government, by this act he placed himself exactly in the position of the Liberal party, to overthrow which the Church party had sought his aid.

The issue between the government and clergy arose in this way. After the nationalization of the Church property certain suits were commenced upon notes given for the purchase of it, to the settlement of which the Church had interposed a variety

of obstacles, all tending to delay final action. In fact, under their influence the courts had hesitated to take jurisdiction of these suits. On the 24th of October, General Bazaine, who had succeeded Forey, ordered notice to be given officially to the judges to hear the causes and to hasten their settlement, and commanded the Regency to make such rules as would carry this order into effect. This proceeding of course woke up the opposition of the Church party. To acquiesce would be to abandon their cause. They did not by any means intend to do this. The Archbishop had weight enough to bring over Almonte partly to his way of thinking. He had a conference with Bazaine, and asked that the matter might be delayed till after the coming of Maximilian. Bazaine would not consent to this, and the Archbishop offered to give his reasons in writing, and left for that purpose. But, after preparing an elaborate argument, what was his surprise to find that the order had been issued by two members of the Regency before his conference with Bazaine, and was already in circulation. Bazaine had seen the influence of the Archbishop, and had thus summarily checked it. Now began the quarrel. The Archbishop at once declared the order null and void. The Regency in turn, under the direction of Bazaine, on the 7th of November, declared that the Archbishop, being in open opposition, was no longer a part of it. The Archbishop replied, that he could not be removed; that two members could not constitute the Regency in direct opposition to the terms of the decree which called it into being; that the body was created for the purpose of deciding grave questions, and if, when these questions arose, he could not express an opinion, he asked for what purpose he occupied a place in that body. Bazaine answered, with military brevity, that his removal was rendered necessary by the attitude he took, and that the course adopted was the only way of avoiding this interruption to the grand march of events; and on the 15th of December, without more ado, removed all obstacles to rights of action respecting the claims concerning which the quarrel had begun. The Archbishop, having interrupted the march of events, which meant in Mexico opposition to the Napoleonic plan, was set aside, and at the same time politely asked by Bazaine to keep quiet, as he was going into the in-

terior to fight Juarez, or, to use his own words, to "pacify and regenerate Mexico." *

But neither the Archbishop nor the clergy did keep quiet. On the 26th of December they published a lengthy protest, in which in lugubrious terms they set forth their grievances, followed on the 31st by one from the Supreme Tribunal. The Regency took no further notice of the bishops, but by a decree of the 2d of January, 1864, they turned out all the judges, as by refusing, in spite of the order of Bazaine, to take cognizance of the causes specified, they also interrupted the grand march of events, and then, on the 21st, in a manifesto addressed to the Mexican people, some of whom were highly elated with this new phase of affairs, they command them to be perfectly tranquil, declaring that they had only freed Mexico from the tyranny of a court which had proved recreant to its trust, *which had forgotten nothing and had learned nothing*, — that the Regency would now watch over the interests of the country, a country whose dissensions "were conducting it to certain ruin when the powerful hand of the *Emperor Napoleon was stretched out* to arrest it on the fatal decline."

After the fall of Puebla and the entry into Mexico organized resistance on the part of Juarez had ceased. For though the Mexican army still formed a large body, it was made up for the most part of detached bands, under slight discipline and badly supplied with the material of war. Their strength lay rather in their complete knowledge of the country, and in their ability to harass the troops of the enemy. The French, on the contrary, commenced the year with renewed vigor. They already held central Mexico, and the line between Vera Cruz and the capital. They were now getting ready to extend their dominion west and north. The Liberals were still in possession of the Pacific coast and southern Mexico. But their seat of government changed as the army, which was gradually retreating towards Monterey, moved. At Monterey was Vidaurri, the Governor of New Leon and Coahuila. His position was a peculiar one. He professed to be a Liberal, and held the office of Governor under the constitutional government, but he took no

* M. Romero to Mr. Seward, February 29, 1864.

pains to conceal his hatred to Juarez. His hate was more than a match for his patriotism. On the approach of the Liberal army he declared against Juarez and escaped to the capital. The cause of Juarez certainly had a bad look. Defeat and defection make any cause look ill. The French press in Mexico were all the time writing France up and writing Juarez down. His own generals were despondent. Even Doblado advised him to resign, as the only way to obtain peace. He did not resign, however. He declared it his duty to struggle for his country, and he inspirited the army to continue the war against the enemy. He had that persistence of character which is the salvation of many a cause which looks hopeless.

Let us turn to another part of the French programme. It was high time for Estrada and his party to go again to Miramar. The Regency was no longer the hope of the Church. The clerical party was in a very bad way. Intervention had been as bitter a pill to them as to their old enemies, the Liberals. They had the added mortification that it was brought about by their instrumentality. But Maximilian being a good Catholic, it was hoped, if the clerical party put forth their efforts, he would repeal the hated laws and restore the Church to its pristine power. The deputation arrived a second time at Miramar on the 10th of April, and at once proceeded to the business before it. Estrada made a very fair case. He applied himself to overcoming the objections raised by Maximilian at the last conference. He asserted that, though it was impossible to take a vote of the people, yet the submission of the country to the French arms and the consent of the municipal corporations were tantamount to such a vote. But the Archduke's scruples had been done away with long before the expiration of the six months by more convincing logic than Estrada's, good as it was. The crown of Mexico was duly accepted. Maximilian said: —

"Mature examination of the acts of adhesion you have come to lay before me affords me the assurance that the resolution of the Notables, which brought you the first time to Miramar, is confirmed by an *immense majority* of your compatriots, and that I may with good right consider myself the legitimate elect of the Mexican people. I am thus enabled to fulfil the promise I made six months ago, and I now solemnly declare

that, with the aid of the Almighty. I accept the crown at the hands of the Mexican nation which tenders it to me."

He then declared that he should place the monarchy under the safeguard of constitutional laws, and asked all Mexicans who love their country to aid him in the accomplishment of his splendid but difficult task. Finally he directed Estrada to stop at Rome on his way to Mexico, and receive "at the hands of the holy father those benedictions so precious to sovereigns." The speech ended amid shouts of "God save Maximilian the First" from Estrada and his party, while salvos of artillery peeled from the castle of Trieste. After this Maximilian signed the acceptance of the crown of Mexico; but, what was more significant, he entered into a convention with France, among the articles of which were the following: —

"Art. 1. The French troops at present in Mexico shall be reduced as soon as possible to a corps of twenty thousand men, including the Foreign Legion. This corps, in order to guard the interest which led to the intervention, shall temporarily remain in Mexico on the conditions laid down in the following articles.

"Art. 2. The troops shall evacuate Mexico in proportion as the Emperor of Mexico shall be able to reorganize the troops necessary to replace them.

"Art. 3. The Foreign Legion in the service of France shall nevertheless remain in Mexico *six years* after all the other French troops shall have been recalled."

After the settlement of matters at Miramar, Maximilian went to Rome, and having there received the benediction of the Pope, with his wife started for Mexico, the Land of the Sun, which Cortez, almost three hundred and fifty years before, under his ancestor, Charles V., had taken from the Aztecs and given to Spain. He reached Vera Cruz, May 28th, and, without stopping, proceeded at once to Orizaba. It was to be expected, if Estrada had told the truth, that the most unrestrained enthusiasm would accompany him in his progress. But the Mexican people, with the exception of the clergy and the French residents, exhibited the greatest apathy. At last, from the vale of Puebla, Maximilian ascends the ridge of mountains which separates him from the city. As he turns the edge of the Cordilleras, the valley of Mexico, ten thousand feet

above the level of the sea, is at once revealed to him in all its indescribable loveliness. He goes over the same ground trodden by the feet of Cortez and his followers. He is on the same errand, that of subjugation and conquest. He entered the capital with a pomp seldom seen. Amid the clangor of bells and the roar of artillery, the imperial *cortége* wound its way through streets spanned with arches, and adorned with the flags of all nations, to the Cathedral. There the solemn services were to be performed which should consecrate the new government. But it was observed that it was the Church party and its adherents that caused all the enthusiasm. Among the multitude of mottoes and inscriptions borne by them, and scattered over the city, the political influence to be attempted upon Maximilian was apparent. He was apostrophized, not as the founder of a new dynasty, but as the defender of the faith and the bulwark of the Catholic Church.

The ceremonies ended, Maximilian sat himself down to his "splendid but difficult task." He attempted two things, neither of which was successful. He tried to improve the finances of the country, and he invited Juarez and other Republican leaders to meet him at the Capitol and there devise the best means for the establishment of the empire. The finances certainly needed oversight. They were in a chaotic state. No revenue flowed into the public treasury, and none was likely to. A committee was appointed, to whom the grave question was referred. But the committee did no good. They were unable to grapple with so hard a question. If they had been men of financial ability, it would have been pretty difficult work to squeeze from the Mexican treasury a quarter part of the money required. As it was, they went to discussing general principles. It was easier to do this than to solve the knotty problems set before them. The result was, that the Emperor was accused of appointing them as a pretext for establishing despotic rule, on the ground that popular bodies could not deal with practical questions.

The attempt to bring over the Liberal leaders met with no better success. All of them refused to hold any communication with the "agent of Napoleon." Juarez replied to the invitation with great dignity: —

"You cordially invite me to go to Mexico, a city whither you your-

self are about to proceed, to the end that we may there have a conference, in conjunction with other Mexican chiefs who are now in arms, promising us all the force necessary for an escort in the transit, and pledging as security your public faith, your word, and your honor. It is impossible for me to accede to this call; my official occupation will not admit of it. But if in the exercise of my public functions I could accept such an invitation, the public faith, the word and honor of an agent of Napoleon, the perjured, would not be sufficient, — of a man whose safety reposes in the hands of Mexican traitors, and of a man who at this moment represents the cause of one of the parties who signed the treaty of Soledad."

It has been seen that the reactionary party had not met with much success in their contest with the Regency. The Archbishop had been disposed of, the Supreme Tribunal had been abolished, and the Regency had confirmed the acts of the Liberals in the confiscation of Church property. They were beginning to think that foreign intervention was a great mistake. To sustain their privileges, they had disturbed Mexico from the time of Iturbide ; to sustain them still, they now debated another overturn in this grand theatre of revolution. One hope only remained to them. Maximilian was a strong Catholic. He reverenced the Church. With this lever they hoped to induce him to annul the acts of Bazaine, to annul the acts of the Liberal party, to make them what they must be, if anything, the ruling power in the state. From his entry into the capital, they therefore paid sedulous court to him. But to no purpose. However much Maximilian may have desired it, "the march of events" would not permit him to come in conflict with the policy of the Regency. His decision, after all, may have been based upon the belief that the Liberals were the strongest party, and his desire to conciliate them. Hence his invitation to Juarez and the others to unite with him for the consolidation of the empire.

One more resort was open to the clerical party. In October, at their intercession, the Pope of Rome sent to Maximilian a letter, through his Nuncio, Meglia. In this letter the Pope writes to Maximilian as follows: —

"Sire, — When in the month of April last, before assuming the reins of the new empire, your Majesty arrived at this capital, in order to

worship at the tombs of the holy Apostles and to receive our benediction, we informed you of the deep sorrow which filled our soul by reason of the lamentable state into which the social disorders during these last years have reduced all that concerns religion in the Mexican nation. Before that time, and more than once, we had made known our complaints in public and solemn acts protesting against the iniquitous law, called the law of reform, which attacked the most inviolable rights of the Church,—against the seizure of ecclesiastical property and the dissipation of the sacred patrimony."

The Pope then asks him to put his hand to the holy work and repeal the laws. For this purpose he sends his Nuncio. He tells him that, in order to reform the evils inflicted by the revolution, and bring back happy days for the Church, he must restore the Catholic religion, to the exclusion of all others; that the Bishops must be perfectly free in the exercise of their duties; that religious orders must be established in conformity with instructions from the Pope; that Church property, and the rights, which attach thereto, must be restored and protected; and that all instruction, public and private, must be directed and watched over by the ecclesiastical authorities.

For the sake of form, merely, Maximilian opened negotiations with the Nuncio. The Nuncio told him that he brought no special instructions from the Pope. However, the Emperor submitted to him four propositions to be submitted to the Pope, which he had already determined to enact into laws. 1st. Ratification by him of the sale of all mortmain property. 2d. The institution of the civil contract of marriage, instead of the religious one. 3d. Liberty of worship. 4th. Endowment of the clergy by the state. It will be seen that the first three of these propositions had been enacted by the constitutional government. The last one had been rejected, on the ground that, where liberty of worship existed, it was not necessary for the state to support the clergy. Maximilian, however, did not wait for any further correspondence from the Pope. Before the departure of the Nuncio he directed the Minister of Justice to frame the laws decided upon.

In August Maximilian set out on a tour of observation through the country held by the French. Before he went away, he did one thing which showed the action of liberal

ideas; he removed the restrictions from the press. On his return he did another thing, which indicated the character of the war and the designs of France: he determined to treat all opponents of the monarchy as bandits, and to exterminate them. He came to this conclusion, as he alleged, from observation that his government was based upon the will of an immense majority of the people, and that this majority desired above all things peace. Up to this time he had shown leniency, now he must protect the nation with an iron arm. He therefore commanded "all functionaries, magistrates, and military authorities" to annihilate the Liberals by all means in their power.

There cannot be the slightest excuse for the promulgation of so barbarous a mandate. It was against the laws of war. But it was the legitimate result of what was intended from the beginning, — the determination to crush out all attempts to restore liberty in Mexico.

The government of Maximilian has been recognized by the powers of Europe. It was hoped by Napoleon that by this time it would stand alone. Will it ever stand alone? Let us see. It has lost the support of the party that has for forty years made and unmade governments in Mexico, and which, with a marvellous aptitude for change, is now actively plotting to overturn this its last work. The people are against it. Juarez, their representative, retreating and fighting with no idea of submission, still struggles with an undaunted tenacity of purpose. If we believe the French press, the Liberals were conquered in 1864. If we trust to the French Minister, resistance, localized at some points, has now lost all national color. It has become but a question of brigandage, which will be readily put down by a well-organized system of police. If we rely upon events, it is seen that Maximilian requires as large an army as ever in order to hold his place on the throne. But the one thing more alarming than all the rest is the state of his finances.

Before Maximilian left for Mexico he signed a contract at Miramar between himself and Napoleon. After providing that the French troops in Mexico shall be reduced as soon as possible to a corps of twenty thousand men including the Foreign

Legion, and that the Foreign Legion in the service of France, composed of eight thousand men, shall nevertheless *remain in Mexico* six years after all the other French troops shall have been recalled, it stipulates as follows: —

"Art. 7. So long as the requirements of the French *corps d'armée* shall necessitate a tri-monthly service of transports between France and Vera Cruz, the expense of said service, fixed at the sum of 400,000 francs per voyage going and returning, shall *be paid by* Mexico."

"Art. 9. The expenses of the French expedition to Mexico, to be paid by the Mexican government, are fixed at the sum of 270,000,000 francs for the whole duration of the expedition down to the first day of July, 1864. This sum shall bear interest at the rate of five per cent. From the 1st of July all the expenses of the French army shall be at the charge of Mexico."

"Art. 10. The indemnity to be paid to France by the Mexican government for the pay and maintenance of the troops of the *corps d'armée* after the first day of July, 1864, remains fixed at the sum of one thousand francs a year for each man."

"Art. 14. The Mexican government engages to indemnify French subjects for the wrong they have unduly suffered, and which was the original cause of the expedition."

In addition to this, he had to pay his own current expenses, (for after the first day of July, 1864, the whole burden fell upon him,) which, according to the official paper of the capital, would amount to the sum of $40,000,000 per annum.* Now what had Maximilian with which to meet this debt as it became due? He could not tax the people. The official gazette admitted that there was but little money in the country, and that it would be useless to attempt it. He must depend upon the revenue, or make a loan. What are the revenues of Mexico? M. de Aranriez, formerly Minister of Finance, made a report to Maximilian upon this extremely interesting question. From this report it is evident that the total revenue of Mexico from all sources would not amount to more than ten or eleven millions of dollars. So disheartened was Maximilian by this financial embarrassment, that he sent a letter to Napoleon asking the assistance

* We have not taken into account in this estimate the claim of England, amounting to about $16,800,000, or the Spanish claim, amounting to about $8,000,000, both of which must be paid, if France succeeds in establishing Maximilian.

of practical business-men to establish the credit of his government, and he afterwards sent Don Eustaquio Barron to Europe to raise funds. In 1864 the French government attempted to raise the first loan for him of 120,000,000 francs; and supposing he got the whole of it, he had already, in the shape of current expenses, interest, &c., a debt of 125,000,000 francs, which must be paid. But if it was necessary to raise this loan in 1864, it will be necessary to raise another, and still another, until the bubble bursts, for the country is no more self-sustaining to-day than it was when Maximilian first went to Mexico. At the beginning of the present year it was asserted "that the imperial government had exhausted the last loan, and that it is existing upon the precarious receipts daily collected from all quarters. So serious are the necessities of the government, that but a short time ago Marshal Bazaine, acting, it is said, upon orders received from France, loaned out of the French funds in this country $300,000 to the Emperor."

Of such momentous importance is this financial matter, that the present Minister of Finance announced semi-officially that the existence of the government depended on the success of a new loan. Before the new loan can be effected, however, Napoleon must convince the capitalists who are to lend, that their money will be safe. To do this he must show them that the work of pacification is going on, that all parties are gradually rallying round him, and that the government will be self-sustaining.

But Mexico is not pacified, and the Liberal army is not crushed. Letters received from the capital as late as April 3d of this year, from reliable sources, state that, according to calculations made from official reports, there were fought during the first seven months following the arrival of Maximilian, between the Liberals and the Imperialists, one hundred and twenty-two battles, in which 1,300 men were wounded and 3,277 killed. That during the year 1865 the number of engagements reached three hundred and twenty-two, in which 1,279 were wounded and 5,674 were reported as killed. The total number of battles, therefore, fought since Maximilian had accepted "from the majority of the Mexican nation the voluntary offer of the throne," a period of only nineteen months, is

four hundred and forty-four, in which 2,650 were wounded and 8,951 killed. Two facts appear from these statements. The contest is growing more deadly. From the small number reported as wounded in comparison with the number killed, it is evident no quarter is given to the wounded. Juarez is able to carry on a constant and stubborn warfare. In addition to this, it appears from the same sources that, under Maximilian's policy of exterminating the Liberals, the loss of life by executions is even greater than that in battle. If the negotiation of the new loan depends upon the fact that Maximilian is pacifying Mexico, it will never be made. The only thing that remains, therefore, if the loan fails, is to make a forced loan from the Mexican people, — a result by no means improbable, and of which they stand in great fear.

It is well understood, that through a long period, up to the end of the year 1860, the power of the United States and the sentiment of the people in respect to foreign interference in American affairs was sufficient to protect Mexico against foreign aggression. It is just as well understood, that the time of the rebellion in the United States was seized upon by France as opportune to begin its attack upon Mexico. The expedition follows close upon the heels of the rebellion. Our government, intent upon putting this rebellion down, and to the eyes of European governments deprived of its weight thereby, was thought not to be in a position to object to any conquests planned by them. Nevertheless, explanations were at once required of France by the United States as to the objects proposed by it. France answered, that it was a war for the redress of grievances; that she did not intend permanently to remain in or occupy Mexico, and that she should leave to the people a free choice of their institutions of government. This is the language which the French government, through its minister, held then, and has held to this day. To be sure, it does not agree with the ideas expressed in the letter of Napoleon to Forey. If that letter can be understood, the great object of the expedition was to restore to the Latin race its former prestige on this continent, as an offset to the development of the Anglo-Saxon. This object was to be attained, not by imposing on the Mexican people a government obnoxious to them, but

by assisting them to establish a stable one, which would yield to France all she demanded. "It follows as a matter of course," says Napoleon, "that, if the Mexicans prefer a monarchy, it is for the interest of France to support them in that path." In spite, however, of facts, the United States have assumed that France was honest in her assertions. As a government, it perhaps could not as yet do otherwise. If it were simply a war for the redress of grievances, the United States must remain neutral.

In the despatches of September 26, 1863, to Mr. Dayton, and of October 9, 1863, to Mr. Motley, Mr. Seward gives a very clear and concise view of the principles which determined the course of the government at that time toward France and Mexico. He says: —

"The United States hold in regard to these two states and their conflict the same principle that they hold in relation to all other nations and their mutual wars. They have neither a right nor a disposition to intervene by force in the internal affairs of Mexico, whether to establish or to maintain a republican, or even a domestic, government there, or to overthrow an imperial or a foreign one, if Mexico shall choose to establish or accept it. The United States have not the right nor the disposition to intervene by force on either side of the lamentable war which is going on between France and Mexico. On the contrary, they practise in regard to Mexico, in every phase of the war, the non-intervention which they require all foreign powers to observe in regard to the United States."

Mr. Seward says, however: —

"This government believes that all foreign resistance to American civilization, and all attempts to control it, must and will fail before the ceaseless and ever-increasing activity of material, moral, and political forces which peculiarly belong to the American continent. . . . . Nor do we practise reserve upon the point that, if France should, upon due consideration, determine to adopt a policy in Mexico adverse to the American opinions and sentiments which I have described, that policy would probably scatter seeds which would be fruitful of jealousies that might ultimately ripen into collisions between France and the United States, and other American republics."

This being the position, the United States was compelled to determine these material questions, — which government it would recognize as the *de facto* government of Mexico, and the

more grave one, whether France conformed to the principles upon which it declared the war was undertaken and carried on. The first question it decided at once. It recognized only the Juarez government. This decision has remained unchanged. When M. Drouyn de Lhuys, in October, 1863, stated to Mr. Dayton at Paris that the dangers of Maximilian's government would come principally from the United States, and the sooner that government showed a willingness to enter into peaceful relations with it, the sooner France would be ready to leave Mexico; and that an early recognition would tend to end all fears of troublesome complications with France, Mr. Seward replied, that France knows that the opinion here is that the establishment of a monarchy in Mexico is neither easy nor desirable; that the United States cannot anticipate the action of the people of Mexico; that they have no desire to interfere in their choice of a government; that Mexico must as yet be regarded as the theatre of a war which has not ended in the subversion of the government long existing there; and that "the United States, consistently with their principles, can do no otherwise than leave the destinies of Mexico in the keeping of her own people, and recognize their sovereignty and independence in whatever form they themselves shall choose that this sovereignty and independence shall be manifested."

It is interesting to trace the gradual solution of the other question. We believe that it will be found to have been dependent on the conviction, held from Monroe's time down, that the successful career of the United States intimately depends upon the continuance of free institutions throughout the American continent, — on the further belief, "that the inherent normal opinion of Mexico favors a government there republican in form and democratic in its organization in preference to any monarchical institution to be imposed upon it," — and on the fact that the majority of the people are against French intervention. In April, 1864, the House of Representatives declared, by a unanimous vote, against the recognition of the Mexican Emperor. Mr. Seward, April 7, sent a copy of this resolution to Mr. Dayton, and at the same time said, "It is hardly necessary, after what I have written with perfect candor for the information of France, to say that the resolution truly inter-

prets the unanimous sentiment of the people"; but that the decision of this question belonged to the Executive, and whether he was prepared to express himself so bluntly was quite another matter. It however caused a good deal of uneasiness in France, and was the occasion of a circular from the Minister of Foreign Affairs in explanation; but in the debate in the Corps Legislatif which followed upon it, May 12, M. Rouher, Minister of State, said that the real reason that induced the resolution was perfectly well understood by all acquainted with American affairs. "A Presidential contest is in progress in America, and *every one, Democrat and Republican, is strong for popularity;* and some think they will attain their purpose by opposing the new American establishment." In spite of all that had been said in the despatches of Mr. Seward, this was accepted by the Corps Legislatif as the true reason of the vote.*

From this time the course to be pursued by the United States becomes plain. There can be no doubt now as to the policy of Napoleon, however much he may assert that all he wants is a redress of grievances. In November, 1865, Mr. Seward wrote to Mr. Bigelow: —

"The presence and operations of a French army in Mexico, and its maintenance of an authority there *resting upon force and not upon the free will of the people* of Mexico, is a cause of serious concern to the United States. Nevertheless, the objection of the United States is still broader, and includes the authority itself which the French army is thus maintaining. . . . . They still regard the effort to establish permanently a foreign and imperial government in Mexico as disallowable and impracticable."

Again, in December, he says that the real cause of discontent prevailing in the United States in regard to Mexico is not understood. The chief cause is not that there is a foreign army in Mexico. The right of sovereign nations to carry on war is recognized. "The real cause of national discontent is, that the French army which is now in Mexico is *invading a domestic republican government* there which was established by her people, and with which the United States sympathize most profoundly,

* Debate in the Corps Legislatif, May 12, 1864.

for *the avowed purpose* of suppressing it and establishing upon its ruins a foreign monarchical government."

This is pretty plain talking, and we are therefore not surprised when, on the 16th of the same month, he writes as follows: —

"It has been the President's purpose that France should be respectfully informed upon two points, viz.: —

"First. That the United States earnestly desire to continue and to cultivate sincere friendship with France.

"Second. That this policy would be brought into imminent jeopardy unless France could deem it consistent with her interest and honor to desist from the prosecution of armed intervention in Mexico, to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country."

Very decided results followed these plain words. M. Drouyn de Lhuys declared that the Emperor was willing to withdraw from Mexico, and asked some assurance that, in that event, the United States would recognize the government of Maximilian as a *de facto* power. This was precisely what the United States had refused to do from the beginning, and what it refuses to do now. On the 22d of January of this year came Napoleon's speech to the French legislature, which, though studiedly ambiguous, intimates plainly enough that his Mexican policy must be changed. He is in fact coming to an understanding with Maximilian for the recall of French troops without compromising French interests; and M. Salliard is despatched without credentials and without documents to tell the Archduke that Napoleon has fulfilled all obligations imposed upon him, and that the time has arrived when he must depend on his own resources without the help of the French army. On the 5th of April, and as a result of the letter of Mr. Seward to the Marquis de Montholon of February 12th, it was officially announced that the French troops should evacuate Mexico in three detachments, the first to depart in November, 1866, the second in March, 1867, and the third in November of the same year.

There can be no doubt that Napoleon would have hesitated to embark in the expedition, if the restoration of the American

Union had not appeared at the time of its inception exceedingly problematical. In this he committed a great error; and it is evident that for some time his aim has been to escape from his position in such a way as to conceal from the sensitive ears of France the chilling sound of his retreating footsteps.

The ability, judgment, and skill with which Mr. Seward has conducted the correspondence with France on these difficult and delicate questions, with which he has maintained the dignity and authority of the United States and brought about a result in the highest degree satisfactory, deserve the gratitude not only of our own people, but of the Mexicans as well. The Mexican question, so far as the establishment of a foreign monarchy is concerned, is obviously approaching its solution.

Art. VI. — 1. *The Life of John Randolph of Roanoke.* By Hugh A. Garland. Eleventh Edition. New York: D. Appleton & Co. 1857. 2 vols. 8vo.

2. *A Biography of John Randolph of Roanoke. With a Selection from his Speeches.* By Lemuel Sawyer, formerly of North Carolina, and for Sixteen Years an Associate in Congress with Mr. Randolph. New York: Burgess, Stringer, & Co. 1844. 12mo.

3. *Letters of* John Randolph *to a Young Relative, embracing a Series of Years from early Youth to mature Manhood.* Philadelphia: Carey, Lea, and Blanchard. 1834. 8vo.

In June, 1861, Dr. Russell, the correspondent of the London Times, was ascending the Mississippi in a steamboat, on board of which was a body of Confederate troops, several of whom were sick, and lay along the deck helpless. Being an old campaigner, he had his medicine-chest with him, and he was thus enabled to administer to these men the medicines which he supposed their cases required. One huge fellow, attenuated to a skeleton by dysentery, who appears to have been aware of his benefactor's connection with the press, gasped out these words: "Stranger, remember, if I die, that I am Robert Tallon of

Tishimingo County, and that I died for States' Rights. See, now, they put that in the papers, won't you? Robert Tallon died for States' Rights." Having thus spoken, he turned over on his blanket, and was silent. Dr. Russell assures his readers that this man only expressed the nearly unanimous feeling of the Southern people at the outbreak of the war. He had been ten weeks travelling in the Southern States, and he declared that the people had but one battle-cry, — "States' Rights, and death to those who make war upon them!" About the same time, we remember, there was a paragraph going the rounds of the newspapers which related a conversation said to have taken place between a Northern man and a Southern boy. The boy happening to use the word "country," the Northerner asked him, "What is your country?" To which the boy instantly and haughtily replied, "SOUTH CAROLINA!"

Such anecdotes as these were to most of us here at the North a revelation. The majority of the Northern people actually did not know of the *existence* of such a feeling as that expressed by the Carolina boy, nor of the doctrine enunciated by the dying soldier. If every boy in the Northern States old enough to understand the question had been asked, What is your country? every one of them, without a moment's hesitation, would have quietly answered in substance thus: "Why, the United States, of course"; — and the only feeling excited by the question would have been one of surprise that it should have been asked. And with regard to that "battle-cry" of States' Rights, seven tenths of the voters of the North hardly knew what a Southern man meant when he pronounced the words. Thus we presented to the world the curious spectacle of a people so ignorant of one another, so little homogeneous, that nearly all on one side of an imaginary line were willing to risk their lives for an idea which the inhabitants on the other side of the line not only did not entertain, but knew nothing about. We observe something similar in the British empire. The ordinary Englishman does not know what it is of which Ireland complains, and if an Irishman is asked the name of his country, he does not pronounce any of the names which imply the merging of his native isle in the realm of Britain.

Few of us, even now, have a "realizing sense," as it is called,

of the strength of the States' Rights feeling among the Southern people. Of all the Southern States in which we ever sojourned, the one that seemed to us most like a Northern State was North Carolina. We stayed some time at Raleigh, ten years ago, during the session of the Legislature, and we were struck with the large number of reasonable, intelligent, upright men who were members of that body. Of course, we expected to find Southern men all mad on one topic; but in the Legislature of North Carolina there were several individuals who could converse even on that in a rational and comfortable manner. We were a little surprised, therefore, the other day, to pick up at a book-stall in Nassau Street a work entitled: "The North Carolina Reader, Number III. Prepared with Special Reference to the Wants and Interests of North Carolina. Under the Auspices of the Superintendent of Common Schools. Containing Selections in Prose and Verse. By C. H. Wiley. New York: A. S. Barnes and Burr." The acute reader will at once surmise that the object of this series of school readers was to instil into the minds of the youth of North Carolina a due regard for the sacredness and blessed effects of our peculiar institution. But for once the acute reader is mistaken. No such purpose appears, at least not in Number III.; in which there are only one or two even distant allusions to that dread subject. Onesimus is not mentioned; there is no reference to Ham, nor is there any discourse upon long heels and small brains. The great, the only object of this Reader was to nourish in the children of the State the feeling which the boy expressed when he proudly said that his country was South Carolina. Nothing can exceed the innocent, childlike manner in which this design is carried out in Number III. First, the children are favored with a series of chapters descriptive of North Carolina, written in the style of a school geography, with an occasional piece of poetry on a North Carolina subject by a North Carolina poet. Once, however, the compiler ventures to depart from his plan by inserting the lines by Sir William Jones, "What constitutes a State?" To this poem he appends a note apologizing for "breaking the thread of his discourse," upon the ground that the lines were so "applicable to the subject," that it seemed as if the author

"must have been describing North Carolina." When the compiler has done cataloguing the fisheries, the rivers, the mountains, and the towns of North Carolina, he proceeds to relate its history precisely in the style of our school history books. The latter half of the volume is chiefly occupied by passages from speeches, and poems from newspapers, written by natives of North Carolina. It is impossible for us to convey an idea of the innutritiousness and the silliness of most of these pieces. North Carolina is the great theme of orator and poet.

"We live," says one of the legislators quoted, "in the most beautiful land that the sun of heaven ever shone upon. Yes, sir, I have heard the anecdote from Mr. Clay, that a preacher in Kentucky, when speaking of the beauties of paradise, when he desired to make his audience believe it was a place of bliss, said it was a Kentucky of a place. Sir, this preacher had never visited the western counties of North Carolina. I have spent days of rapture in looking at her scenery of unsurpassed grandeur, in hearing the roar of her magnificent waterfalls, second only to the great cataract of the North; and while I gazed for hours, lost in admiration at the power of Him who by his word created such a country, and gratitude for the blessings He had scattered upon it, I thought that if Adam and Eve, when driven from paradise, had been near this land, they would have thought themselves in the next best place to that they had left."

We do not aver that the contents of this collection are generally as ludicrous as this specimen; but we do say that the passage quoted gives a very fair idea of the spirit and quality of the book. There is scarcely one of the North Carolina pieces which a Northern man would not for one reason or another find extremely comic. One of the reading lessons is a note written fifteen years ago by Solon Robinson, the agricultural editor of the Tribune, upon the use of the long leaves of the *North Carolina* pine for braiding or basket-work; another is a note written to accompany a bunch of *North Carolina* grapes sent to an editor; and there are many other newspaper cuttings of a similar character. The editor seems to have thought nothing too trivial, nothing too ephemeral, for his purpose, provided the passage contained the name of his beloved State.

How strange all this appears to a Northern mind! Everywhere else in Christendom, teachers strive to enlarge the mental range of their pupils, readily assenting to Voltaire's well-known definition of an educated man: "One who is *not* satisfied to survey the universe from his parish belfry." Everywhere else, the intellectual class have some sense of the ill-consequences of "breeding in and in," and take care to infuse into lower minds the vigor of new ideas and the nourishment of strange knowledge. How impossible for a Northern State to think of doing what Alabama did last winter, pass a law designed to limit the circulation in that State of Northern news papers and periodicals! What Southern men mean by "State pride" is really not known in the Northern States. All men of every land are fond of their native place; but the pride that Northern people may feel in the State wherein they happened to be born is as subordinate to their national feeling, as the attachment of a Frenchman to his native province is to his pride in France.

Why this difference? It did not always exist. It cost New York and Massachusetts as severe a struggle to accept the Constitution of 1787 as it did Virginia. George Clinton, Governor of New York, had as much State pride as Patrick Henry, orator of Virginia, and parted as reluctantly with a portion of the sovereignty which he wielded. If it required Washington's influence and Madison's persuasive reasoning to bring Virginia into the new system, the repugnance of Massachusetts was only overcome by the combined force of Hancock's social rank and Adams's late, reluctant assent. Suppose, to-day, that the United States were invited to merge their sovereignty into a confederation of all the nations of America, which would require us to abolish the city of Washington, and send delegates to a general congress on the Isthmus of Darien! A sacrifice of pride like that was demanded of the leading States of the Union in 1787. Severe was the struggle, but the sacrifice was made, and it cost the great States of the North as painful a throe as it did the great States of the South. Why, then, has State pride died away in the North, and grown stronger in the South? Why is it only in the Southern States that the doctrine of States' Rights is ever heard of? Why does the Northern

man swell with national pride, and point with exultation to a flag bearing thirty-seven stars, feeling the remotest State to be as much his country as his native village, while the Southern man contracts to an exclusive love for a single State, and is willing to die on its frontiers in repelling from its sacred soil the national troops, and can see the flag under which his fathers fought torn down without regret?

The study of John Randolph of Virginia takes us to the heart of this mystery. He could not have correctly answered the question we have proposed, but he *was* an answer to it. Born when George Washington, Thomas Jefferson, George Mason, and James Madison were Virginia farmers, and surviving to the time when Andrew Jackson was President of the United States, he lived through the period of the decline of his race, and he was of that decline a conscious exemplification. He represented the decay of Virginia, himself a living ruin attesting by the strength and splendor of portions of it what a magnificent structure it was once. "Poor old Virginia! Poor old Virginia!" This was the burden of his cry for many a year. Sick, solitary, and half mad, at his lonely house in the wilderness of Roanoke, suffering from inherited disease, burdened with inherited debt, limited by inherited errors, and severed by a wall of inherited prejudice from the life of the modern world, he stands to us as the type of the palsied and dying State. Of the doctrine of States' Rights he was the most consistent and persistent champion; while of that feeling which the North Carolina Reader No. III. styles "State pride," we may call him the very incarnation. "When I speak of my country," he would say, "I mean the Commonwealth of Virginia." He was the first eminent man in the Southern States who was prepared in spirit for war against the government of the United States; for during the Nullification imbroglio of 1833, he not only was in the fullest accord with Calhoun, but he used to say, that, if a collision took place between the nullifiers and the forces of the United States, he, John Randolph of Roanoke, old and sick as he was, would have himself buckled on his horse, Radical, and fight for the South to his last breath.

But then he was a man of genius, travel, and reading. We find him, therefore, as we have said, a *conscious* witness of his

Virginia's decline. Along with a pride in the Old Dominion that was fanatical, there was in this man's heart a constant and most agonizing sense of her inferiority to lands less beloved. By no tongue or pen — not by Sumner's tongue nor Olmsted's pen — have more terrible pictures been drawn of Virginia's lapse into barbarism, than are to be found in John Randolph's letters. At a time (1831) when he would not buy a pocket-knife made in New England, nor send a book to be bound north of the Potomac, we find him writing of his native State in these terms: —

"I passed a night in Farrarville, in an apartment which, in England, would not have been thought fit for my servant; nor on the Continent did he ever occupy so mean a one. Wherever I stop it is the same: walls black and filthy; bed and furniture sordid; furniture scanty and mean, generally broken; no mirror; no fire-irons; in short, dirt and discomfort universally prevail; and in most private houses the matter is not mended. The cows milked a half a mile off, or not got up, and no milk to be had at any distance, — no jordan; — in fact, all the old gentry are gone, and the *nouveaux riches*, when they have the inclination, do not know how to live. *Biscuit*, not half *cuit;* everything animal and vegetable smeared with butter and lard. Poverty stalking through the land, while we are engaged in political metaphysics, and, amidst our filth and vermin, like the Spaniard and Portuguese, look down with contempt on other nations, — England and France especially. We hug our lousy cloak around us, take another *chaw of tubbacker*, float the room with nastiness, or ruin the grate and fire-irons, where they happen not to be rusty, and try conclusions upon constitutional points."

What truth and painting in this passage! But if we had asked this suffering genius as to the cause of his "country's" decline, he would have given us a mad answer indeed. He would have said, in his wild way, that it was all Tom Jefferson's doing, sir. Tom Jefferson abolished primogeniture in Virginia, and thus, as John Randolph believed, destroyed the old families, the life and glory of the State. Tom Jefferson was unfaithful to the States' Rights and strict-constructionist creed, of which he was the expounder and trustee, and thus let in the "American system" of Henry Clay, with its protective tariff, which completed the ruin of the agricultural States. This was his simple theory of the situation. These were the

reasons why he despaired of ever again seeing, to use his own language, "the Nelsons, the Pages, the Byrds, and Fairfaxes, living in their palaces, and driving their coaches and sixes, or the good old Virginia gentlemen on the Assembly drinking their twenty and forty bowls of rack punches, and madeira and claret, in lieu of a knot of deputy sheriffs and hack attorneys, each with his cruet of whiskey before him, and puddle of tobacco-spittle between his legs." He was as far from seeing any relation of cause and effect between the coaches, palaces, and bowls of punch, and the "knot of deputy sheriffs," as a Fenian is from discerning any connection between the Irish rackrenting of the last century, and the Irish beggary of this. Like conditions produce like characters. How interesting to discover in this republican, this native Virginian of English stock, a perfect and splendid specimen of a species of tory supposed to exist only in such countries as Poland, Spain, Ireland, and the Highlands of Scotland, but which in reality does abound in the Southern States of this Union, — the tory, conscious of his country's ruin, but clinging with fanatical and proud tenacity to the principles that ruined it.

Tobacco, virgin land, and cheap negroes gave to several families in Virginia, for three generations, a showy, delusive prosperity, which produced a considerable number of dissolute, extravagant men, and educated a few to a high degree of knowledge and wisdom. Of these families, the Randolphs were the most numerous, and among the oldest, richest, and most influential. The soldiers of the late army of the Potomac knew well the lands which produced the tobacco that maintained them in baronial state. It was on Turkey Island (an island no more), twenty miles below Richmond, close to Malvern Hill of immortal memory, that the founder of the family settled in 1660, — a Cavalier of ancient Yorkshire race, ruined in the civil wars. Few of our troops, perhaps, who rambled over Turkey Bend, were aware that the massive ruins still visible there, and which served as negro quarters seven years ago, are the remains of the great and famous mansion built by this Cavalier, turned tobacco-planter. This home of the Randolphs was so elaborately splendid, that a man served out the whole term of his apprenticeship to the trade of carpenter in one of

its rooms. The lofty dome was for many years a beacon to the navigator. Such success had this Randolph in raising tobacco during the fifty-one years of his residence upon Turkey Island, that to each of his six sons he gave or left a large estate, besides portioning liberally his two daughters. Five of these sons reared families, and the sons of those sons were also thriving and prolific men; so that, in the course of three genera tions, Virginia was full of Randolphs. There was, we believe, not one of the noted controlling families that was not related to them by blood or marriage.

In 1773, when John Randolph was born, the family was still powerful; and the region last trodden by the Army of the Potomac was still adorned by the seats of its leading members. Cawsons, the mansion in which he was born, was situated at the junction of the James and Appomattox, in full view of City Point and Bermuda Hundred, and only an after-breakfast walk from Dutch Gap. The mansion long ago disappeared, and nothing now marks its site but negro huts. Many of those exquisite spots on the James and Appomattox, which we have seen men pause to admire while the shells were bursting overhead, were occupied sixty years ago by the sumptuous abodes of the Randolphs and families related to them. Mattoax, the house in which John Randolph passed much of his childhood, was on a bluff of the Appomattox, two miles above Petersburg; and Bizarre, the estate on which he spent his boyhood, lay above, on both sides of the same river. Over all that extensive and enchanting region, trampled and torn and laid waste by hostile armies in 1864 and 1865, John Randolph rode and hunted from the time he could sit a pony and handle a gun. Not a vestige remains of the opulence and splendor of his early days. Not one of the mansions inhabited or visited by him in his youth furnished a target for our cannoneers or plunder for our camps. A country better adapted to all good purposes of man, nor one more pleasing to the eye, hardly exists on earth; but before it was trodden by armies, it had become little less than desolate. The James River is as navigable as the Hudson, and flows through a region far more fertile, longer settled, more inviting, and of more genial climate; but there are upon the Hudson's banks more cities than there are rotten

landings upon the James. The shores of this beautiful and classic stream are so unexpectedly void of even the signs of human habitation, that our soldiers were often ready to exclaim: "Can this be the river of Captain John Smith and Pocahontas? Was it here that Jamestown stood? Is it possible that white men have lived in this delightful land for two hundred and fifty-seven years? Or has not the captain of the steamboat made a mistake, and turned into the wrong river?"

One scene of John Randolph's boyhood reveals to us the entire political economy of the Old Dominion. He used to relate it himself, when denouncing the manufacturing system of Henry Clay. One ship, he would say, sufficed, in those happy days, for all the commerce of that part of Virginia with the Old World, and that ship was named the London Trader. When this ship was about to sail, all the family were called together, and each member was invited to mention the articles which he or she wanted from London. First, the mother of the family gave in her list; next, the children, in the order of their ages; next, the overseer; then the *mammy*, the children's black nurse; lastly, the house servants, according to their rank, down even to their children. When months had passed, and the time for the ship's return was at hand, the weeks, the days, the hours were counted; and when the signal was at last descried, the whole household burst into exclamations of delight, and there was festival in the family for many days.

How picturesque and interesting! How satisfactory to the tory mind! But alas! their system of exhausting the soil in the production of tobacco by the labor of slaves, and sending for all manufactured articles to England, was more ruinous even than it was picturesque. No middle class could exist, as in England, to supply the waste of aristocratic blood and means; and in three generations, rich and beautiful Virginia, created for empire, was only another Ireland. But it was a picturesque system, and John Randolph, poet and tory, revelled in the recollection of it. "Our Egyptian taskmasters," he would say, meaning the manufacturers of Pennsylvania, New York, New Jersey, and New England, "only wish to leave us the recollection of past times, and insist upon our purchasing

their vile *domestic* stuffs; but it won't do: no wooden nutmegs for old Virginia."

His own pecuniary history was an illustration of the working of the system. His father left forty thousand acres of the best land in the world, and several hundred slaves, to his three boys; the greater part of which property, by the early death of the two elder brothers, fell to John. As the father died when John was but three years old, there was a minority of eighteen years, during which the boy's portion should have greatly increased. So far from increasing, an old debt of his father's — a *London* debt, incurred for goods brought to a joyous household in the London Trader — remained undiminished at his coming of age, and hung about his neck for many years afterward. Working two large estates, with a force of negroes equivalent to one hundred and eighty full field hands, he could not afford himself the luxury of a trip to Europe until he was fifty years old. The amount of this debt we do not know, but he says enough about it for us to infer that it was not of very large amount in comparison with his great resources. One hundred and eighty stalwart negroes working the best land in the world, under a man so keen and vigilant as this last of the noble Randolphs, and yet making scarcely any headway for a quarter of a century!

The blood of this fine breed of men was also running low. Both the parents of John Randolph and both of his brothers died young, and he himself inherited weakness which early developed into disease. One of his half-brothers died a madman. "My whole name and race," he would say, "lie under a curse. I feel the curse clinging to me." He was a fair, delicate child, more like a girl than a boy, and more inclined, as a child, to the sports of girls than of boys. His mother, a fond, tender, gentle lady, nourished his softer qualities, powerless to govern him, and probably never attempting it. Nevertheless he was no girl; he was a genuine *son* of the South. Such was the violence of his passions, that, before he was four years old, he sometimes in a fit of anger fell senseless upon the floor, and was restored only after much effort. His step-father, who was an honorable man, seems never to have attempted either to control his passions or develop his intellect. He grew up, as

many boys of Virginia did, and do, unchecked, unguided, untrained. Turned loose in a miscellaneous library, nearly every book he read tended to intensify his feelings or inflame his imagination. His first book was Voltaire's Charles XII., and a better book for a boy has never been written. Then he fell upon the Spectator. Before he was twelve he had read the Arabian Nights, Orlando, Robinson Crusoe, Smollett's Works, Reynard the Fox, Don Quixote, Gil Blas, Tom Jones, Gulliver, Shakespeare, Plutarch's Lives, Pope's Homer, Goldsmith's Rome, Percy's Reliques, Thomson's Seasons, Young, Gray, and Chatterton, — a gallon of sack to a penny's worth of bread. A good steady drill in arithmetic, geography, and language might have given him an understanding, a chance; but this ill-starred boy never had a steady drill in anything. He never remained longer at any one school than a year, and he learned at school very little that he needed most to know. In the course of his desultory schooling he picked up some Latin, a little Greek, a good deal of French, and an inconceivable medley of odds and ends of knowledge, which his wonderful memory enabled him to use sometimes with startling effect.

Everywhere else, in the whole world, children are taught that virtue is self-control. In the Southern States, among these tobacco-beds, boys learned just the opposite lesson, — that virtue is self-indulgence. This particular youth, thin-skinned, full of talent, fire, and passion, the heir to a large estate, fatherless, would have been in danger anywhere of growing up untrained, — a wild beast in broadcloth. In the Virginia of that day, in the circle in which he lived, there was nothing for him in the way either of curb or spur. He did what he pleased, and nothing else. All that was noble in his life, — those bursts of really fine oratory, his flashes of good sense, his occasional generosities, his hatred of debt, and his eager haste to pay it, — all these things were due to the original excellence of his race. In the very dregs of good wine there is flavor. We cannot make even good vinegar out of a low quality of wine.

His gentle mother taught him all the political economy he ever took to heart. "Johnny," said she to him one day, when they had reached a point in their ride that commanded an ex-

tensive view, "all this land belongs to you and your brother. It is your father's inheritance. When you get to be a man, you must not sell your land: it is the first step to ruin for a boy to part with his father's home. Be sure to keep it as long as you live. Keep your land, and your land will keep you." There never came a time when his mind was mature and masculine enough to *consider* this advice. He clung to his land as Charles Stuart clung to his prerogative.

All the early life of this youth was wandering and desultory. At fourteen, we find him at Princeton College in New Jersey, where, we are told, he fought a duel, exchanged shots twice with his adversary, and put a ball into his body which he carried all his life. By this time, too, the precocious and ungovernable boy had become, as he flattered himself, a complete atheist. One of his favorite amusements at Princeton was to burlesque the precise and perhaps ungraceful Presbyterians of the place. The library of his Virginian home, it appears, was furnished with a great supply of what the French mildly call the literature of incredulity, — Helvetius, Voltaire, Rousseau, Diderot, D'Alembert, and the rest. The boy, in his rage for knowledge, had read vast quantities of this literature, and, of course, embraced the theory of the writers that pushed denial farthest. For twenty-two years, he says in one of his letters, he never entered a church. Great pleasure it gave him to show how superior the Mahometan religion was to the Christian, and to recite specimens of what he took delight in styling Hebrew jargon. The Psalms of David were his special aversion.

Almost all gifted and fearless lads that have lived in Christendom during the last hundred years have had a fit of this kind between fifteen and twenty-five. The strength of the tendency to question the grounds of belief must be great indeed to bear away with it a youth like this, formed by Nature to believe. John Randolph had no more intellectual right to be a sceptic, than he had a moral right to be a republican. A person whose imagination is quick and warm, whose feelings are acute, and whose intellect is wholly untrained, can find no comfort except in belief. His scepticism is a mere freak of vanity or self-will. Coming upon the stage of life

when unbelief was fashionable in high drawing-rooms, he became a sceptic. But Nature will have her way with us all, and so this atheist at fifteen was an Evangelical at forty-five.

His first political bias was equally at war with his nature. John Randolph was wholly a tory; there was not in his whole composition one republican atom. But coming early under the direct personal influence of Thomas Jefferson, whose every fibre was republican, he, too, the sympathetic tory of genius, espoused the people's cause. He was less than twenty-two years, however, in recovering from *this* false tendency.

Summoned from Princeton, after only a few months' residence, by the death of his mother, he went next to Columbia College, in the city of New York, where for a year or two he read Greek with a tutor, especially Demosthenes. At New York he saw the first Congress under the new Constitution assembled, and was one of the concourse that witnessed the scene of General Washington's taking the oath on the balcony of the old City Hall. It seemed to this Virginia boy natural enough that a Virginian should be at the head of the government; not so, that a Yankee should hold the second place and preside over the Senate. Forty years after, he recalled with bitterness a trifling incident, which, trifling as it was, appears to have been the origin of his intense antipathy to all of the blood of John Adams. The coachman of the Vice-President, it seems, told the brother of this little republican tory to stand back; or, as the orator stated it, forty years after, "I remember the manner in which my brother was spurned by the coachman of the Vice-President for coming too near the arms emblazoned on the vice-regal carriage."

Boy as he was, he had already taken sides with those who opposed the Constitution. The real ground of his opposition to it was, that it reduced the importance of Virginia, — great Virginia! Under the new Constitution, there was a man on the Western Continent of more consequence than the Governor of Virginia, there were legislative bodies more powerful than the Legislature of Virginia. This was the secret of the disgust with which he heard it proposed to style the President "His Highness" and "His Majesty." *This* was the reason

why it kindled his ire to read, in the newspapers of 1789, that "the most honorable Rufus King" had been elected Senator. It was only Jefferson and a very few other of the grand Virginians who objected for higher and larger reasons.

In March, 1790, Mr. Jefferson reached New York, after his return from France, and entered upon his new office of Secretary of State under General Washington. He was a distant relative of our precocious student, then seventeen years of age; and the two families had just been brought nearer together by the marriage of one of Mr. Jefferson's daughters to a Randolph. The reaction against republican principles was at full tide; and no one will ever know to what lengths it would have gone, had not Thomas Jefferson so opportunely come upon the scene. At his modest abode, No. 57 Maiden Lane, the two Randolph lads — John, seventeen, Theodorick, nineteen — were frequent visitors. Theodorick was a roistering blade, much opposed to his younger brother's reading habits, caring himself for nothing but pleasure. John was an eager politician. During the whole period of the reaction, first at New York, afterward at Philadelphia, finally in Virginia, John Randolph sat at the feet of the great Democrat of America, fascinated by his conversation, and generally convinced by his reasoning. It is a mistake, however, to suppose that he was a blind follower of Mr. Jefferson, even then. On the question of States' Rights, he was in the most perfect accord with him. But when, in 1791, the eyes of all intelligent America were fixed upon the two combatants, Edmund Burke and Thomas Paine, Burke condemning, Paine defending, the French Revolution, the inherited instincts of John Randolph asserted themselves, and he gave all his heart to Burke. Lord Chatham and Edmund Burke were the men who always held the first place in the esteem of this kindred spirit. Mr. Jefferson, of course, sympathized with the view of his friend Paine, and never wavered in his belief that the French Revolution was necessary and beneficial. A generous and gifted nation strangled, moved him to deeper compassion than a class proscribed. He dwelt more upon the long and bitter provocation, than upon the brief frenzy which was only one of its dire results. Louis XIV. and Louis XV., picturesque as they were, excited within him a profounder horror

than ugly Marat and Robespierre. He pitied haggard, distracted France more than graceful and high-bred Marie Antoinette. In other words, he was not a tory.

There was a difference, too, between Mr. Jefferson and his young kinsman on the points upon which they agreed. Jefferson was a States' Rights man, and a strict constructionist, because he was a republican; Randolph, because he was a Virginian. Jefferson thought the government should be small, that the people might be great; John Randolph thought the government should be small, that Virginia might be great. Pride in Virginia was John Randolph's ruling passion, not less in 1790 than in 1828. The welfare and dignity of man were the darling objects of Thomas Jefferson's great soul, from youth to hoary age.

Here we have the explanation of the great puzzle of American politics, — the unnatural alliance, for sixty years, between the plantation lords of the South and the democracy of the North, both venerating the name of Jefferson, and both professing his principles. It was not, as many suppose, a compact of scurvy politicians for the sake of political victory. Every great party, whether religious or political, that has held power long in a country, has been founded upon conviction, — disinterested conviction. Some of the cotton and tobacco lords, men of intellect and culture, were democrats and abolitionists, like Jefferson himself. Others took up with republicanism because it was the reigning affectation in their circle, as it was in the chateaux and drawing-rooms of France. But their State pride it was that bound them as a class to the early Republican party. The Southern aristocrat saw in Jefferson the defender of the sovereignty of his State: the "smutched artificer" of the North gloried in Jefferson as the champion of the rights of man. While the Republican party was in opposition, battling with unmanageable John Adams, with British Hamilton, and with a foe more powerful than both of those men together, Robespierre, — while it had to contend with Washington's all but irresistible influence, and with the nearly unanimous opposition of educated and orthodox New England, — this distinction was not felt. Many a tobacco aristocrat cut off his pig-tail and wore trousers down to his ankles, which were then the out-

ward signs of the inward democratic grace. But time tries all. It is now apparent to every one that the strength of the original Democratic party in the South was the States' Rights portion of its platform, while in the North it was the sentiment of republicanism that kept the party together.

Young politicians should study this period of their country's history. If ever again a political party shall rule the United States for sixty years, or for twenty years, it will be, we think, a party resembling the original Republican party, as founded in America by Franklin, and developed by Jefferson. Its platform will be, perhaps, something like this: simple, economical government machinery; strict construction of the Constitution; the rights of the States scrupulously observed; the suffrage open to all, without regard to color or sex, — *open* to all, but *conferred* only upon men and women capable of exercising it.

John Randolph agreed upon another point with Mr. Jefferson: he was an abolitionist. But for the English debt which he inherited, it is extremely probable that he would have followed the example of many of the best Virginians of his day, and emancipated his slaves. He would, perhaps, have done so when that debt was discharged, instead of waiting to do it by his last will, but for the forlorn condition of freedmen in a Slave State. His eldest brother wrote, upon the division of the estate, in 1794: "I want not a single negro for any other purpose than his immediate emancipation. I shudder when I think that such an insignificant animal as I am is invested with this monstrous, this horrid power." He told his guardian that he would give up all his land rather than own a slave. There was no moment in the whole life of John Randolph when he did not sympathize with this view of slavery, and he died expressing it. But though he was, if possible, a more decided abolitionist than Jefferson, he never for a moment doubted the innate superiority of a Virginia gentleman to all the other inhabitants of America. He had not even the complaisance to take his hair out of queue, nor hide his thin legs in pantaloons. He was not endowed by nature with understanding enough to rise superior to the prejudices that had come down to him through generations of aristocrats. He was weak enough, indeed, to be extremely vain of the fact that

a grandfather of his had married one of the great-granddaughters of Pocahontas, who, it was believed, performed the act that renders her famous at Point of Rocks on the Appomattox, within walking distance of one of the Randolph mansions. It is interesting to observe what an unquestioning, childlike faith he always had in the superiority of his caste, of his State, and of his section. He once got so far as to speak favorably of the talents of Daniel Webster; but he was obliged to conclude by saying that he was the best debater he had ever known *north of the Potomac.*

This singular being was twenty-six years of age before any one suspected, least of all himself, that he possessed any of the talents which command the attention of men. His life had been desultory and purposeless. He had studied law a little, attended a course or two of medical lectures, travelled somewhat, dipped into hundreds of books, read a few with passionate admiration, had lived much with the ablest men of that day, — a familiar guest at Jefferson's fireside, and no stranger at President Washington's stately table. Father, mother, and both brothers were dead. He was lonely, sad, and heavily burdened with property, with debt, and the care of many dependants. His appearance was even more singular than his situation. At twenty-three he had still the aspect of a boy. He actually grew half a head after he was twenty-three years of age. "A tall, gawky-looking, flaxen-haired stripling, apparently of the age of sixteen or eighteen, with complexion of a good parchment color, beardless chin, and as much assumed self-consequence as any two-footed animal I ever saw." So he was described by a Charleston bookseller, who saw him in his store in 1796, carelessly turning over books. "At length," continues this narrator, "he hit upon something that struck his fancy; and never did I witness so sudden, so perfect a change of the human countenance. That which was before dull and heavy in a moment became animated, and flashed with the brightest beams of intellect. He stepped up to the old gray-headed gentleman (his companion), and, giving him a thundering slap on the shoulder, said, 'Jack, look at this!'" Thus was he described at twenty-three. At twenty-six he was half a head taller, and quite as slender as before. His light hair was then

combed back into an elegant queue. His eye of hazel was bright and restless. His chin was still beardless. He wore a frock-coat of light blue cloth, yellow breeches, silk stockings, and top-boots. Great was the love he bore his horses, which were numerous, and as good as Virginia could boast. It is amusing to notice that the horse upon which this pattern aristocrat used to scamper across the country, in French-Revolution times, was named *Jacobin!*

It was in March, 1799, the year before the final victory of the Republicans over the Federal party, that the neighbors of John Randolph and John Randolph himself discovered, to their great astonishment, that he was an orator. He had been nominated for Representative in Congress. Patrick Henry, aged and infirm, had been so adroitly manipulated by the Federalists, that he had at length agreed to speak to the people in support of the hateful administration of John Adams. John Randolph, who had never in his life addressed an audience, nor, as he afterwards declared, had ever imagined that he could do so, suddenly determined, the very evening before the day named for the meeting, to reply to Patrick Henry. It was an open-air meeting. No structure in Virginia could have contained the multitude that thronged to hear the transcendent orator, silent for so many years, and now summoned from his retirement by General Washington himself to speak for a Union imperilled and a government assailed. He spoke with the power of other days, for he was really alarmed for his country; and when he had finished his impassioned harangue, he sunk back into the arms of his friends, as one of them said, "like the sun setting in his glory." For the moment he had all hearts with him. The sturdiest Republican in Virginia could scarcely resist the spell of that amazing oratory.

John Randolph rose to reply. His first sentences showed not only that he could speak, but that he knew the artifices of an old debater; for he began by giving eloquent expression to the veneration felt by his hearers for the aged patriot who had just addressed them. He spoke for three hours, it is said; and if we may judge from the imperfect outline of his speech that has come down to us, he spoke as well that day as ever he did. States' Rights was the burden of his speech. That the Alien

and Sedition Law was an outrage upon human nature, he may have believed; but what he *felt* was, that it was an outrage upon the Commonwealth of Virginia. He may have thought it desirable that all governments should confine themselves to the simple business of compelling the faithful performance of contracts; but what he *insisted upon* was, that the exercise by the government of the United States of any power not expressly laid down in the letter of the Constitution was a wrong to Virginia. If John Adams is right, said he, in substance, then Virginia has gained nothing by the Revolution but a change of masters, — New England for Old England, — which he thought was *not* a change for the better.

It was unnecessary, in the Virginia of 1799, for the head of the house of Randolph to be an orator, in order to secure an election to the House of Representatives. He was elected, of course. When he came forward to be sworn in, his appearance was so youthful, that the Clerk of the House asked him, with the utmost politeness, whether he had attained the legal age. His reply was eminently characteristic of the tobacco lord: 'Go, sir, and ask my constituents: they sent me here." As there was no one present authorized by the Constitution to box the ears of impudent boys on the floor of the House, he was sworn without further question. It has often occurred to us that this anecdote, which John Randolph used to relate with much satisfaction, was typical of much that has since occurred. The excessive courtesy of the officer, the insolence of the Virginia tobacconist, the submission of the Clerk to that insolence, — who has not witnessed such scenes in the Capitol at Washington?

It was in December, 1799, that this fiery and erratic genius took his seat in the House of Representatives. John Adams had still sixteen months to serve as target for the sarcasm of the young talent of the nation. To calm readers of the present day, Mr. Adams does really seem a strange personage to preside over a government; but the calm reader of the present day cannot realize the state of things in the year 1800. We cannot conceive what a fright the world had had in the excesses of the French Revolution, and the recent usurpation of General Bonaparte. France had made almost every timid man

in Christendom a tory. Serious and respectable people, above forty, and enjoying a comfortable income, felt that there was only one thing left for a decent person to do,—to assist in preserving the *authority* of government. John Adams, by the constitution of his mind, was as much a tory as John Randolph; for he too possessed imagination and talent disproportioned to his understanding. To be a democrat it is necessary to have a little pure intellect; since your democrat is merely a person who can, occasionally, see things and men as they are. New England will always be democratic enough as long as her boys learn mental arithmetic; and Ireland will always be the haunt of tories as long as her children are brought up upon songs, legends, and ceremonies. To make a democratic people, it is only necessary to accustom them to use their minds.

Nothing throws such light upon the state of things in the United States in 1800, as the once famous collision between these two natural tories, John Adams and John Randolph, which gave instantaneous celebrity to the new member, and made him an idol of the Republican party. In his maiden speech, which was in opposition to a proposed increase of the army, he spoke disparagingly of the troops already serving, using the words *ragamuffins* and *mercenaries*. In this passage of his speech, the partisan spoke, not the man. John Randolph expressed the real feeling of his nature toward soldiers, when, a few years later, on the same floor, he said: "If I must have a master, let him be one with epaulets; something which I can look up to; but not a master with a quill behind his ear." In 1800, however, it pleased him to style the soldiers of the United States ragamuffins and mercenaries; which induced two young officers to push, hustle, and otherwise discommode and insult him at the theatre. Strange to relate, this hot Virginian, usually so prompt with a challenge to mortal combat, reported the misconduct of these officers to the President of the United States. This eminently proper act he did in an eminently proper manner, thanks to his transient connection with the Republican party. Having briefly stated the case, he concluded his letter to the President thus: "The independence of the legislature has been attacked, and the majesty of the people, of which you are the principal representative, insulted, and your authority

contemned. In their name, I demand that a provision commensurate with the evil be made, and which will be calculated to deter others from any future attempt to introduce the reign of terror into our country. In addressing you in this plain language of man, I give you, sir, the best proof I can afford of the estimation in which I hold your office and your understanding; and I assure you with truth, that I am, with respect, your fellow-citizen, John Randolph."

This language so well accords with our present sense of the becoming, that a person unacquainted with that period would be unable to point to a single phrase calculated to give offence. In the year 1800, however, the President of the United States saw in every expression of the letter contemptuous and calculated insult. "The majesty of the people," forsooth! The President merely their "representative"! "plain language of man"! and "with respect, your fellow-citizen"! To the heated imaginations of the Federalists of 1800, language of this kind, addressed to the President, was simply prophetic of the guillotine. So amazed and indignant was Mr. Adams, that he actually submitted the letter to his Cabinet, requesting their opinion as to what should be done with it. Still more incredible is it, that four members of the Cabinet, in writing, declared their opinion to be, that "the contemptuous language therein adopted requires a public censure." They further said, that, "if such addresses remain unnoticed, we are apprehensive that a precedent will be established which must necessarily destroy the ancient, respectable, and urbane usages of this country." Some lingering remains of good-sense in the other member of the Cabinet prevented the President from acting upon their advice; and he merely sent the letter to the House, with the remark that he "submitted the whole letter and its tendencies" to their consideration, "without any other comments on its matter and style."

This affair, trivial as it was, sufficed in that mad time to lift the young member from Virginia into universal notoriety, and caused him to be regarded as a shining light of the Republican party. The splendor of his talents as an orator gave him at once the ear of the House and the admiration of the Republican side of it; while the fury of his zeal against the President ren-

dered him most efficient in the Presidential canvass. No young man, perhaps, did more than he toward the election of Jefferson and Burr in 1800. He was indeed, at that time, before disease had wasted him, and while still enjoying the confidence of the Republican leaders and subject to the needed restraints of party, a most effective speaker, whether in the House or upon the stump. He had something of Burke's torrent-like fluency, and something of Chatham's spirit of command, with a piercing, audacious sarcasm all his own. He was often unjust and unreasonable, but never dull. He never spoke in his life without being at least attentively listened to.

Mr. Jefferson came into power; and John Randolph, triumphantly re-elected to Congress, was appointed Chairman of the Committee of Ways and Means, — a position not less important then than now. He was the leader of the Republican majority in the House. His social rank, his talents, his position in the House of Representatives, the admiration of the party, the confidence of the President, all united to render him the chief of the young men of the young nation. It was captivating to the popular imagination to behold this heir of an ancient house, this possessor of broad lands, this orator of genius, belonging to the party of the people. He aided to give the Republican party the only element of power which it lacked, — social consideration. The party had numbers and talent; but it had not that which could make a weak, rich man vain of the title of Republican. At the North, clergy, professors, rich men, were generally Federalists, and it was therefore peculiarly pleasing to Democrats to point to this eminent and brilliant Virginian as a member of their party. He discharged the duties of his position well, showing ability as a man of business, and living in harmony with his colleagues. As often as he reached Washington, at the beginning of a session, he found the President's card (so Colonel Benton tells us) awaiting him for dinner the next day at the White House, when the great measures of the session were discussed. It was he who moved the resolutions of respect for the memory of that consummate republican, that entire and perfect democrat, Samuel Adams of Massachusetts. It was he who arranged the financial measures required for the purchase of Louisiana, and made no objection

to the purchase. During the first six years of Mr. Jefferson's Presidency, he shrank from no duty which his party had a right to claim from him. Whatever there might be narrow or erroneous in his political creed was neutralized by the sentiment of nationality which the capital inspires, and by the practical views which must needs be taken of public affairs by the Chairman of the Committee of Ways and Means.

These were the happy years of his life, and the most honorable ones. Never, since governments have existed, has a country been governed so wisely, so honestly, and so economically as the United States was governed during the Presidency of Thomas Jefferson. Randolph himself, after twenty years of opposition to the policy of this incomparable ruler, could still say of his administration, that it was the only one he had ever known which "seriously and in good faith was disposed to give up its patronage," and which desired to go further in depriving itself of power than the people themselves had thought. "Jefferson," said John Randolph in 1828, "was the only man I ever knew or heard of who really, truly, and honestly, not only said, *Nolo episcopari*, but actually refused the mitre."

For six years, as we have said, Mr. Randolph led the Republican party in the House of Representatives, and supported the measures of the administration, — all of them. In the spring of 1807, without apparent cause, he suddenly went into opposition, and from that time opposed the policy of the administration, — the whole of it.

Why this change? If there were such a thing as going apprentice to the art of discovering truth, a master in that art could not set an apprentice a better preliminary lesson than this. Why did John Randolph go into opposition in 1807? The gossips of that day had no difficulty in answering the question. Some said he had asked Mr. Jefferson for a foreign mission, and been refused. Others thought it was jealousy of Mr. Madison, who was known to be the President's choice for the succession. Others surmised that an important state secret had been revealed to other members of the House, but not to him. These opinions our tyro would find very positively recorded, and he would also, in the course of his researches, come upon the statement that Mr. Randolph himself

attributed the breach to his having beaten the President at a game of chess, which the President could not forgive.

The truth is, that John Randolph bolted for the same reason that a steel spring resumes its original bent the instant the restraining force is withdrawn. His position as leader of a party was irksome, because it obliged him to work in harness, and he had never been broken to harness. His party connection bound him to side with France in the great contest then raging between France and England, and yet his whole soul sympathized with England. This native Virginian was more consciously and positively English than any native of England ever was. English literature had nourished his mind; English names captivated his imagination; English traditions, feelings, instincts, habits, prejudices, were all congenial to his nature. How hard for such a man to side officially with Napoleon in those gigantic wars! Abhorring Napoleon with all a Randolph's force of antipathy, it was nevertheless expected of him, as a good Republican, to interpret leniently the man who, besides being the armed soldier of democracy, had sold Louisiana to the United States. Randolph, moreover, was an absolute aristocrat. He delighted to tell the House of Representatives that he, being a Virginian slaveholder, was *not* obliged to curry favor with his coachman or his shoeblack, lest when he drove to the polls the coachman should dismount from his box, or the shoeblack drop his brushes, and neutralize their master's vote by voting on the other side. How he exulted in the fact that in Virginia none but freeholders could vote! How happy he was to boast, that, in all that Commonwealth, there was no such thing as a ballot-box! "May I never live to see the day," he would exclaim, "when a Virginian shall be ashamed to declare aloud at the polls for whom he casts his vote!" What pleasure he took in speaking of his Virginia wilderness as a "barony," and in signing his name "John Randolph of Roanoke," and in wearing the garments that were worn in Virginia when the great tobacco lords were running through their estates in the fine old picturesque and Irish fashion!

Obviously, an antique of this pattern was out of place as a leader in the Republican party. For a time the spell of Jefferson's winning genius, and the presence of a powerful oppo-

sition, kept him in some subjection; but in 1807 that spell had spent its force, and the Federal party was not formidable. John Randolph was himself again. The immediate occasion of the rupture was, probably, Mr. Jefferson's evident preference of James Madison as his successor. We have a right to infer this, from the extreme and lasting rancor which Randolph exhibited toward Mr. Madison, who he used to say was as mean a man for a Virginian as John Quincy Adams was for a Yankee. Nor ought we ever to speak of this gifted and unhappy man without considering his physical condition. It appears from the slight notices we have of this vital matter, that about the year 1807 the stock of vigor which his youth had acquired was gone, and he lived thenceforth a miserable invalid, afflicted with diseases that sharpen the temper and narrow the mind. John Randolph *well* might have outgrown inherited prejudices and limitations, and attained to the stature of a modern, a national, a republican man. John Randolph *sick* — radically and incurably sick — ceased to grow just when his best growth would naturally have begun.

The sudden departure of a man so conspicuous and considerable at a time when the Republican party was not aware of its strength, struck dismay to many minds, who felt, with Jefferson, that to the Republican party in the United States were confided the best interests of human nature. Mr. Jefferson was not in the least alarmed, because he knew the strength of the party and the weakness of the man. The letter which he wrote on this subject to Mr. Monroe ought to be learned by heart by every politician in the country, — by the self-seekers, for the warning which it gives them, and by the patriotic, for the comfort which it affords them in times of trouble. Some readers, perhaps, will be reminded by it of events which occurred at Washington not longer ago than last winter.

"Our old friend Mercer broke off from us some time ago; at first, professing to disdain joining the Federalists; yet, from the habit of voting together, becoming soon identified with them. Without carrying over with him one single person, he is now in a state of as perfect obscurity as if his name had never been known. Mr. J. Randolph is in the same track, and will end in the same way. His course has excited considerable alarm. Timid men consider it as a proof of the weakness

of our government, and that it is to be rent in pieces by demagogues and to end in anarchy. I survey the scene with a different eye, and draw a different augury from it. In a House of Representatives of a great mass of good sense, Mr. Randolph's popular eloquence gave him such advantages as to place him unrivalled as the leader of the House; and, although not conciliatory to those whom he led, principles of duty and patriotism induced many of them to swallow humiliations he subjected them to, and to vote as was right, as long as he kept the path of right himself. The sudden departure of such a man could not but produce a momentary astonishment, and even dismay; but for a moment only. The good sense of the House rallied around its principles, and, without any leader, pursued steadily the business of the session, did it well, and by a strength of vote which has never before been seen. . . . . The augury I draw from this is, that there is a steady good sense in the legislature and in the body of the nation, joined with good intentions, which will lead them to discern and to pursue the public good under all circumstances which can arise, and that no *ignis fatuus* will be able to lead them long astray."

Mr. Jefferson predicted that the lost sheep of the Republican fold would wander off to the arid wastes of Federalism; but he never did so. His defection was not an inconsistency, but a return to consistency. He presented himself in his true character thenceforth, which was that of a States' Rights fanatic. He opposed the election of Mr. Madison to the Presidency, as he said, because Mr. Madison was weak on the sovereignty of the States. He opposed the war of 1812 for two reasons:— 1. Offensive war was in itself unconstitutional, being a *national* act. 2. War was nationalizing. A hundred times before the war, he foretold that, if war occurred, the sovereignty of the States was gone forever, and we should lapse into nationality. A thousand times after the war, he declared that this dread lapse had occured. At a public dinner, after the return of peace, he gave the once celebrated toast, "States' Rights,— *De mortuis nil nisi bonum.*" As before the war he sometimes affected himself to tears while dwelling upon the sad prospect of kindred people imbruing their hands in one another's blood, so during the war he was one of the few American citizens who lamented the triumphs of their country's arms. In his solitude at Roanoke, he was cast down at the news of Perry's victory on the lake, because he thought it would prolong the

contest; and he exulted in the banishment of Napoleon to Elba, although it let loose the armies and fleets of Britain upon the United States. "That insolent coward," said he, "has met his deserts at last." This Virginia Englishman would not allow that Napoleon possessed even military talent; but stoutly maintained, to the last, that he was the merest sport of fortune. When the work of restoration was in progress, under the leadership of Clay and Calhoun, John Randolph was in his element, for he could honestly oppose every movement and suggestion of those young orators,—national bank, protective tariff, internal improvements, everything. He was one of the small number who objected to the gift of land and money to Lafayette, and one of the stubborn minority who would have seen the Union broken up rather than assent to the Missouri Compromise, or to *any* Missouri compromise. The question at issue in all these measures, he maintained, was the same, and it was this: Are we a nation or a confederacy?

Talent, too, is apt to play the despot over the person that possesses it. This man had such a power of witty vituperation in him, with so decided a histrionic gift, that his rising to speak was always an interesting event; and he would occasionally hold both the House and the galleries attentive for three or four hours. He became accustomed to this homage; he craved it; it became necessary to him. As far back as 1811, Washington Irving wrote of him, in one of his letters from Washington: "There is no speaker in either house that excites such universal attention as Jack Randolph. But they listen to him more to be delighted by his eloquence and entertained by his ingenuity and eccentricity, than to be convinced by sound doctrine and close argument." As he advanced in age, this habit of startling the House by unexpected dramatic exhibitions grew upon him. One of the most vivid pictures ever painted in words of a parliamentary scene is that in which the late Mr. S. G. Goodrich records his recollection of one of these displays. It occurred in 1820, during one of the Missouri debates. A tall man, with a little head and a small oval face, like that of an aged boy, rose and addressed the chairman.

"He paused a moment," wrote Mr. Goodrich, "and I had time to

study his appearance. His hair was jet-black, and clubbed in a queue; his eye was black, small, and painfully penetrating. His complexion was a yellowish-brown, bespeaking Indian blood. I knew at once that it must be John Randolph. As he uttered the words, 'Mr. Speaker!' every member turned in his seat, and, facing him, gazed as if some portent had suddenly appeared before them. 'Mr. Speaker,' said he, in a shrill voice, which, however, pierced every nook and corner of the hall, 'I have but one word to say, — one word, sir, and that is to state a fact. The measure to which the gentleman has just alluded originated in a dirty trick!' These were his precise words. The subject to which he referred I did not gather, but the coolness and impudence of the speaker were admirable in their way. I never saw better acting, even in Kean. His look, his manner, his long arm, his elvish fore-finger, — like an exclamation-point, punctuating his bitter thought, — showed the skill of a master. The effect of the whole was to startle everybody, as if a pistol-shot had rung through the hall." — *Recollections*, Vol. II. p. 395.

Such anecdotes as these, which are very numerous, both in and out of print, convey an inadequate idea of his understanding; for there was really a great fund of good sense in him and in his political creed. Actor as he was, he was a very honest man, and had a hearty contempt for all the kinds of falsehood which he had no inclination to commit. No man was more restive under debt than he, or has better depicted its horrors. Speaking once of those Virginia families who gave banquets and kept up expensive establishments, while their estates were covered all over with mortgages, he said: "I always think I can see the anguish under the grin and grimace, like old Mother Cole's dirty flannel peeping out beneath her Brussels lace." He was strong in the opinion that a man who is loose in money matters is not trustworthy in anything, — an opinion which is shared by every one who knows either life or history. "The time was," he wrote, "when I was fool enough to believe that a man might be negligent of pecuniary obligations, and yet be a very good fellow; but long experience has convinced me that he who is lax in this respect is utterly unworthy of trust in any other." He discriminated well between those showy, occasional acts of so-called generosity which such men perform, and the true, habitual, self-denying benevolence of a solvent and just member of society. "Despise

the usurer and the miser as much as you will," he would exclaim, "but the spendthrift is more selfish than they."

There are flashes of sense and touches of pathos in some of his most tory passages. As he was delivering in the House one of his emphatic predictions of the certain failure of our experiment of freedom on this continent, he broke into an apology for so doing, that brought tears to many eyes. "It is an infirmity of my nature," said he, "to have an obstinate constitutional preference of the true over the agreeable; and I am satisfied, that, if I had had an only son, or what is dearer, an only daughter, — which God forbid! — I say, God forbid, for she might bring her father's gray hairs with sorrow to the grave; she might break my heart, or worse than that — what? Can anything be worse than that? Yes, sir, *I might break hers!*" His fable, too, of the caterpillar and the horseman was conceived in arrogance, but it was pretty and effective. Every tory intellect on earth is pleased to discourse in that way of the labors of the only men who greatly help their species, — the patient elaborators of truth. A caterpillar, as we learn from this fable, had crawled slowly over a fence, which a gallant horseman took at a single leap. "Stop," says the caterpillar, "you are too flighty; you want connection and continuity; it took me an hour to get over; you can't be as sure as I am that you have really overcome the difficulty, and are indeed over the fence." To which, of course, the gallant horseman makes the expected contemptuous reply. This is precisely in the spirit of Carlyle's sneers at the political economists, — the men who are not content to sit down and howl in this wilderness of a modern world, but bestir themselves to discover methods by which it can be made less a wilderness.

There is so much truth in the doctrines of the original States' Rights party, — the party of Jefferson, Madison, and Patrick Henry, — that a very commonplace man, who learned his politics in that school, is able to make a respectable figure in the public counsels. The mere notion that government, being a necessary evil, is to be reduced to the minimum that will answer the purposes of government, saves from many false steps. The doctrine that the central government is to confine itself to the duties assigned it in the Constitution, is a guid-

ing principle suited to the limited human mind. A vast number of claims, suggestions, and petitions are excluded by it even from consideration. If an eloquent Hamiltonian proposes to appropriate the public money for the purpose of enabling American manufacturers to exhibit their products at a Paris Exhibition, the plainest country member of the Jeffersonian school perceives at once the inconsistency of such a proposition with the fundamental principle of his political creed. He has a compass to steer by, and a port to sail to, instead of being afloat on the waste of waters, the sport of every breeze that blows. It is touching to observe that this unhappy, sick, and sometimes mad John Randolph, amid all the vagaries of his later life, had always a vein of soundness in him, derived from his early connection with the enlightened men who acted in politics with Thomas Jefferson. The phrase "masterly inactivity" is Randolph's; and it is something only to have given convenient expression to a system of conduct so often wise. He used to say that Congress could scarcely do too little. His ideal of a session was one in which members should make speeches till every man had fully expressed and perfectly relieved his mind, then pass the appropriation bills, and go home. And we ought not to forget that, when President John Quincy Adams brought forward his schemes for covering the continent with magnificent works at the expense of the treasury of the United States, and of uniting the republics of both Americas into a kind of holy alliance, it was Randolph's piercing sarcasm which, more than anything else, made plain to new members the fallacy, the peril, of such a system. His opposition to this wild federalism involved his support of Andrew Jackson; but there was no other choice open to him.

Seldom did he display in Congress so much audacity and ingenuity as in defending General Jackson while he was a candidate for the Presidency against Mr. Adams. The two objections oftenest urged against Jackson were that he was a military chieftain, and that he could not spell. Mr. Randolph discoursed on these two points in a most amusing manner, displaying all the impudence and ignorance of the tory, inextricably mingled with the good sense and wit of the man. "General Jackson cannot write," said a friend. "Granted,"

replied he. "General Jackson cannot write because he was never taught; but his competitor cannot write because he was not teachable." He make a bold remark in one of his Jacksonian harangues. "The talent which enables a man to write a book or make a speech has no more relation to the leading of an army or a senate, than it has to the dressing of a dinner." He pronounced a fine eulogium on the Duke of Marlborough, one of the worst spellers in Europe, and then asked if gentlemen would have had that illustrious man "superseded by a Scotch schoolmaster." It was in the same ludicrous harangue that he uttered his famous joke upon those schools in which young ladies were said to be "finished." "Yes," he exclaimed, "*finished* indeed; finished for all the duties of a wife, or mother, or mistress of a family." Again he said: "There is much which it becomes a second-rate man to know, which a first-rate man ought to be ashamed to know. No head was ever clear and sound that was stuffed with book-learning. My friend, W. R. Johnson, has many a groom that can clean and dress a race-horse, and ride him too, better than he can." He made the sweeping assertion, that no man had ever presided over a government with advantage to the country governed, who had not in him the making of a good general; for, said he, "the talent for government lies in these two things, — sagacity to perceive, and decision to act." Really, when we read this ingenious apology for, or rather eulogy of, ignorance, we cease to wonder that General Jackson should have sent him to Russia.

The religious life of this gifted being is a most curious study. He experienced in his lifetime four religious changes, or conversions. His gentle mother, whose name he seldom uttered without adding, with tender emphasis, "God bless her!" was such a member of the Church of England as gentle ladies used to be before an "Evangelical" party was known in it. She taught his infant lips to pray; and, being naturally trustful and affectionate, he was not an unapt pupil. But in the library of the old mansion on the Appomattox, in which he passed his forming years, there was a "wagon-load" of what he terms "French infidelity," though it appears there were almost as many volumes of Hobbes, Shaftesbury, Collins, Hume, and

Gibbon as there were of Diderot, D'Alembert, Helvetius, and Voltaire. These works he read in boyhood; and when he came to mingle among men, he found that the opinions of such authors prevailed in the circles which he most frequented. Just as he, a natural tory, caught some tincture of republicanism from Jefferson and his friends, so he, the natural believer, adopted the fashion of scepticism, which then ruled the leading minds of all lands; and just as he lapsed back into toryism when the spell which drew him away from it had spent its force, so he became, in the decline of his powers, a prey to religious terrors. For twenty-five years, as we have said, he held aloof from religion, its ministers and its temples. The disease that preyed upon him so sharpened his temper and so perverted his perceptions of character, that, one after another, he alienated all the friends and relations with whom he ought to have lived; and he often found himself, between the sessions of Congress, the sole white tenant of his lonely house at Roanoke, — the sick and solitary patriarch of a family of three hundred persons. He sought to alleviate this horrid solitude by adopting and rearing the orphaned sons of old friends; to whom, when he was himself, he was the most affectionate and generous of guardians. But even they could not very long endure him; for, in his adverse moods, he was incarnate Distrust, and, having conceived a foul suspicion, his genius enabled him to give it such withering expression that it was not in the nature of a young man to pass it by as the utterance of transient madness. So they too left him and he was utterly alone in the midst of a crowd of black dependants. We see from his letters, that, while he saw the impossibility of his associating with his species, he yet longed and pined for their society and love. Perhaps there never lived a more unhappy person. Revering women, and formed to find his happiness in domestic life, he was incapable of being a husband; and if this had not been the case, no woman could have lived with him. Yearning for companionship, but condemned to be alone, his solace was the reflection that, so long as there was no one near him, he was a torment only to himself. "Often," he writes in one of his letters, "I mount my horse and sit upon him for ten or fifteen minutes, wishing to go somewhere, but not knowing where to ride; for I

would escape anywhere from the incubus that weighs me down, body and soul; but the fiend follows me *en croupe*. . . . . The strongest considerations of duty are barely sufficient to prevent me from absconding to some distant country, where I might live and die unknown."

A mind in such a state as this is the natural prey of superstition. A dream, he used to say, first recalled his mind to the consideration of religion. This was about the year 1810, at the height of those hot debates that preceded the war of 1812. For nine years, he tells us, the subject gradually gained upon him, so that, at last, it was his first thought in the morning and his last at night. From the atheism upon which he had formerly plumed himself, he went to the opposite extreme. For a long time he was plunged into the deepest gloom, regarding himself as a sinner too vile to be forgiven. He sought for comfort in the Bible, in the Prayer-book, in conversation and correspondence with religious friends, in the sermons of celebrated preachers. He formed a scheme of retiring from the world into some kind of religious retreat, and spending the rest of his life in prayers and meditation. Rejecting this as a cowardly desertion of the post of duty, he had thoughts of setting up a school for children, and becoming himself a teacher in it. This plan, too, he laid aside, as savoring of enthusiasm. Meanwhile, this amiable and honest gentleman, whose every error was fairly attributable to the natural limitations of his mind or to the diseases that racked his body, was tormented by remorse, which would have been excessive if he had been a pirate. He says that, after three years of continual striving, he still dared not partake of the Communion, feeling himself "unworthy." "I was present," he writes, "when Mr. Hoge invited to the table, and I would have given all I was worth to have been able to approach it." Some inkling of his condition, it appears, became known to the public, and excited great goodwill towards him on the part of many persons of similar belief.

Some of his letters written during this period contain an almost ludicrous mixture of truth and extravagance. He says in one of them, that his heart has been softened, and he "*thinks* he has *succeeded* in forgiving all his enemies"; then he adds, "There is not a human being that I would hurt if it were in my

power, — *not even Bonaparte.*" In another place he remarks that the world is a vast mad-house, and, " if what is to come be anything like what is passed, it would be wise to abandon the hulk to the underwriters, — the worms." In the whole of his intercourse with mankind, he says he never met with but three persons whom he did not, on getting close to their hearts, discover to be unhappy; and they were the only three he had ever known who had a religion. He expresses this truth in language which limits it to one form or kind of religion, the kind which he heard expounded in the churches of Virginia in 1819. Give it broader expression, and every observer of human life will assent to it. It is indeed most true, that no human creature gets much out of life who has no religion, no sacred object, to the furtherance of which his powers are dedicated.

He obtained some relief at length, and became a regular communicant of the Episcopal Church. But although he ever after manifested an extreme regard for religious things and persons, and would never permit either to be spoken against in his presence without rebuke, he was very far from edifying his brethren by a consistent walk. At Washington, in the debates, he was as incisive and uncharitable as before. His denunciations of the second President Adams's personal character were as outrageous as his condemnation of parts of his policy was just. Mr. Clay, though removed from the arena of debate by his appointment to the Department of State, was still the object of his bitter sarcasm; and at length he included the President and the Secretary in that merciless philippic in which he accused Mr. Clay of forgery, and styled the coalition of Adams and Clay as " the combination of the Puritan and the Blackleg." He used language, too, in the course of this speech, which was understood to be a defiance to mortal combat, and it was so reported to Mr. Clay. The reporters, however, misunderstood him, as it was not his intention nor his desire to fight. Nevertheless, to the astonishment and sorrow of his religious friends, he accepted Mr. Clay's challenge with the utmost possible promptitude, and bore himself throughout the affair like (to use the poor, lying, tory cant of the last generation) " a high-toned Virginia gentleman." Colonel Benton tells us that Mr. Randolph invented an ingenious excuse for the enormous inconsistency of

his conduct on this occasion. A duel, he maintained, was private war, and was justifiable on the same ground as a war between two nations. Both were lamentable, but both were allowable, when there was no other way of getting redress for insults and injuries. This was plausible, but it did not deceive *him*. He knew very well that his offensive language respecting a man whom he really esteemed was wholly devoid of excuse. He had the courage requisite to expiate the offence by standing before Mr. Clay's pistol; but he could not stand before his countrymen and confess that his abominable antithesis was but the spurt of mingled ill-temper and the vanity to shine. Any good tory can fight a duel with a respectable degree of composure; but to own one's self, in the presence of a nation, to have outraged the feelings of a brother-man, from the desire to startle and amuse an audience, requires the kind of valor which tories do not know. "Whig and tory," says Mr. Jefferson, "belong to natural history." But then there is such a thing, we are told, as the regeneration of the natural man; and we believe it, and cling to it as a truth destined one day to be resuscitated and purified from the mean interpretations which have made the very word sickening to the intelligence of Christendom. Mr. Randolph had not achieved the regeneration of his nature. He was a tory still. In the testing hour, the "high-toned Virginia gentleman" carried the day, without a struggle, over the man.

During the last years of his life, the monotony of his anguish was relieved by an occasional visit to the Old World. It is interesting to note how thoroughly at home he felt himself among the English gentry, and how promptly they recognized him as a man and a brother. He was, as we have remarked, *more* English than an Englishman; for England does advance, though slowly, from the insular to the universal. Dining at a great house in London, one evening, he dwelt with pathetic eloquence upon the decline of Virginia. Being asked what he thought was the reason of her decay, he startled and pleased the lords and ladies present by attributing it all to the repeal of the law of primogeniture. One of the guests tells us that this was deemed "a strange remark from a *Republican*," and that, before the party broke up, the company had "almost

taken him for an aristocrat." It happened sometimes, when he was conversing with English politicians, that it was the American who defended the English system against the attacks of Englishmen; and so full of British prejudice was he, that, in Paris, he protested that a decent dinner could not be bought for money. Westminster Abbey woke all his veneration. He went into it, one morning, just as service was about beginning, and took his place among the worshippers. Those of our readers who have attended the morning service at an English cathedral on a week-day cannot have forgotten the ludicrous smallness of the congregation compared with the imposing array of official assistants. A person who has a little tincture of the Yankee in him may even find himself wondering how it can "pay" the British empire to employ half a dozen reverend clergymen and a dozen robust singers to aid seven or eight unimportant members of the community in saying their prayers. But John Randolph of Roanoke had not in him the least infusion of Yankee. Standing erect in the almost vacant space, he uttered the responses in a tone that was in startling contrast to the low mumble of the clergyman's voice, and that rose above the melodious amens of the choir. He took it all in most serious earnest. When the service was over, he said to his companion, after lamenting the hasty and careless manner in which the service had been performed, that he esteemed it an honor to have worshipped God in Westminster Abbey. As he strolled among the tombs, he came, at last, to the grave of two men who had often roused his enthusiasm. He stopped, and spoke: "I will not say, Take off your shoes, for the ground on which you stand is holy; but, look, sir, do you see those simple letters on the flagstones beneath your feet, — W. P. and C. J. F. Here lie, side by side, the remains of the two great rivals, Pitt and Fox, whose memory so completely lives in history. No marble monuments are necessary to mark the spot where *their* bodies repose. There is more simple grandeur in those few letters than in all the surrounding monuments, sir." How more than English was all this! England had been growing away from and beyond Westminster Abbey, William Pitt, and Charles James Fox; but this Virginia Englishman, living alone in his woods, with his slaves and his

overseers, severed from the progressive life of his race, was living still in the days when a pair of dissolute young orators could be deemed, and with some reason too, the most important persons in a great empire.

We ought not to have been surprised at the sympathy which the English Tories felt during the late war for their brethren in the Southern States of America. It was as natural as it was for the English Protestants to welcome the banished Huguenots. It was as natural as it was for Louis XIV. to give an asylum to the Stuarts. The traveller who should have gone, seven years ago, straight from an English agricultural county to a cotton district of South Carolina, or a tobacco county of Virginia, would have felt that the differences between the two places were merely external. The system in both places and the spirit of both were strikingly similar. In the old parts of Virginia, the Carolinas, Tennessee, and Kentucky, you had only to get ten miles from a railroad to find yourself among people who were English in their feelings, opinions, habits, and even in their accent. New England differs from Old England, because New England has grown: Virginia was English, because she had been stationary. Happening to be somewhat familiar with the tone of feeling in the South, — the *real* South, or, in other words, the South ten miles from a railroad, — we were fully prepared for Mr. Russell's statement with regard to the desire so frequently expressed in 1861 for one of the English princes to come and reign over a nascent Confederacy. Sympathies and antipathies are always mutual when they are natural; and never was there a sympathy more in accordance with the nature of things, than that which so quickly manifested itself between the struggling Southern people and the majority of the ruling classes of Great Britain.

Mr. Randolph took leave of public life, after thirty years of service, not in the most dignified manner. He furnished another illustration of the truth of a remark made by a certain queen of Denmark, — "The lady doth protest too much." Like many other gentlemen in independent circumstances, he had been particularly severe upon those of his fellow-citizens who earned their subsistence by serving the public. It pleased him to speak of members of the Cabinet as "the drudges of

the departments," and to hold gentlemen in the diplomatic service up to contempt as forming "the tail of the *corps diplomatique* in Europe." He liked to declaim upon the enormous impossibility of *his* ever exchanging a seat in Congress for "the shabby splendors" of an office in Washington, or in a foreign mission "to dance attendance abroad instead of at home." When it was first buzzed about in Washington, in 1830, that General Jackson had tendered the Russian mission to John Randolph, the rumor was not credited. An appointment so exquisitely absurd was supposed to be beyond even Andrew Jackson's audacity. The offer had been made, however. Mr. Randolph's brilliant defence of General Jackson's bad spelling, together with Mr. Van Buren's willingness to place an ocean between the new administration and a master of sarcasm, to whom opposition had become an unchangeable habit, had dictated an offer of the mission, couched in such seductive language that Mr. Randolph yielded to it as readily as those ladies accept an offer of marriage who have often announced their intention never to marry. Having reached the scene of his diplomatic labors at the beginning of August, he began to perform them with remarkable energy. In a suit of black, the best, he declared, that London could furnish, he was presented to the Emperor and to the Empress, having first submitted his costume to competent inspection. Resolute to do his whole duty, he was not content to send his card to the diplomatic corps, but, having engaged a handsome coach and four, he called upon each member of the diplomatic body, from the ambassadors to the secretaries of legation. Having performed these labors, and having discovered that a special object with which he was charged could not then be accomplished, he had leisure to observe that St. Petersburg, in the month of August, is not a pleasant residence to an invalid of sixty. He describes the climate in these terms: —

"Heat, dust impalpable, pervading every part and pore. . . . . Insects of all nauseous descriptions, bugs, fleas, mosquitoes, flies innumerable, gigantic as the empire they inhabit, who will take no denial. This is the land of Pharaoh and his plagues, — Egypt and its ophthalmia and vermin, without its fertility, — Holland, without its wealth, improvements, or cleanliness."

He endured St. Petersburg for the space of ten days, then sailed for England, and never saw Russia again. When the appropriation bill was before Congress at the next session, opposition members did not fail to call in question the justice of requiring the people of the United States to pay twenty thousand dollars for Mr. Randolph's ten days' work, or, to speak more exactly, for Mr. Randolph's apology for the President's bad spelling; but the item passed, nevertheless. During the reign of Andrew Jackson, Congress was little more than a board of registry for the formal recording of his edicts. There are those who think, at the present moment, that what a President hath done, a President may do again.

It was fortunate that John Randolph was in retirement when Calhoun brought on his Nullification scheme. The presence in Congress of a man so eloquent and so reckless, whose whole heart and mind were with the Nullifiers, might have prevented the bloodless postponement of the struggle. He was in constant correspondence with the South Carolina leaders, and was fully convinced that it was the President of the United States, not "the Hamiltons and Haynes" of South Carolina, who ought to seize the first pretext to concede the point in dispute. No citizen of South Carolina was more indignant than he at General Jackson's Proclamation. He said that, if the people did not rouse themselves to a sense of their condition, and "put down this wretched old man," the country was irretrievably ruined; and he spoke of the troops despatched to Charleston as "mercenaries," to whom he hoped "no quarter would be given." The "wretched old man" whom the people were to "put down" was Andrew Jackson, not John C. Calhoun.

We do not forget that, when John Randolph uttered these words, he was scarcely an accountable being. Disease had reduced him to a skeleton, and robbed him of almost every attribute of man except his capacity to suffer. But even in his madness he was a representative man, and spoke the latent feeling of his class. The diseases which sharpened his temper unloosed his tongue; he revealed the tendency of the Southern mind, as a petulant child reveals family secrets. In his good and in his evil he was an exaggerated Southerner of the higher class. He was like them, too, in this: they are not criminals

to be punished, but patients to be cured. Sometimes, of late, we have feared that they resemble him also in being incurable.

As long as Americans take an interest in the history of their country, they will read with interest the strange story of this sick and suffering representative of sick and suffering Virginia. To the last, old Virginia wore her ragged robes with a kind of grandeur which was not altogether unbecoming, and which to the very last imposed upon tory minds. Scarcely any one could live among the better Southern people without liking them; and few will ever read Hugh Garland's Life of John Randolph, without more than forgiving all his vagaries, impetuosities, and foibles. How often, upon riding away from a Southern home, have we been ready to exclaim, "What a pity such good people should be so accursed!" Lord Russell well characterized the evil to which we allude as "that fatal gift of the poisoned garment which was flung around them from the first hour of their establishment."

The last act of John Randolph's life, done when he lay dying at a hotel in Philadelphia, in June, 1833, was to express once more his sense of this blighting system. Some years before, he had made a will by which all his slaves were to be freed at his death. He would probably have given them their freedom before his death, but for the fact, too evident, that freedom to a black man in a Slave State was not a boon. The slaves freed by his brother, forty years before, had not done well, because (as he supposed) no land had been bequeathed for their support. Accordingly, he left directions in his will that a tract of land, which might be of four thousand acres, should be set apart for the maintenance of his slaves, and that they should be transported to it and established upon it at the expense of his estate. "I give my slaves their freedom," said he in his will, "to which my conscience tells me they are justly entitled." On the last day of his life, surrounded by strangers, and attended by two of his old servants, his chief concern was to make distinctly known to as many persons as possible that it was really his will that his slaves should be free. Knowing, as he did, the aversion which his fellow-citizens had to the emancipation of slaves, and even to the presence in the State of free blacks, he seemed desirous of tak-

ing away every pretext for breaking his will. A few hours before his death, he said to the physician in attendance: "I confirm every disposition in my will, especially that concerning my slaves whom I have manumitted, and for whom I have made provision." The doctor, soon after, took leave of him, and was about to depart. "You must not go," said he, "you cannot, you shall not leave me." He told his servant not to let the doctor go, and the man immediately locked the door and put the key in his pocket. The doctor remonstrating, Mr. Randolph explained, that, by the laws of Virginia, in order to manumit slaves by will, it was requisite that the master should *declare* his will in that particular in the presence of a white witness, who, after hearing the declaration, must never lose sight of the party until he is dead. The doctor consented, at length, to remain, but urged that more witnesses should be sent for. This was done. At ten in the morning, four gentlemen were ranged in a semicircle round his bed. He was propped up almost in a sitting posture, and a blanket was wrapped round his head and shoulders. His face was yellow, and extremely emaciated; he was very weak, and it required all the remaining energy of his mind to endure the exertion he was about to make. It was evident to all present that his whole soul was in the act, and his eye gathered fire as he performed it. Pointing toward the witnesses with that gesture which for so many years had been familiar to the House of Representatives, he said, slowly and distinctly: "I confirm all the directions in my will respecting my slaves, and direct them to be enforced, particularly in regard to a provision for their support." Then, raising his hand and placing it upon the shoulder of his servant, he added, "Especially for this man." Having performed this act, his mind appeared relieved, but his strength immediately left him, and in two hours he breathed his last.

The last of the Randolphs, and one of the best representatives of the original masters of Virginia, the high-toned Virginia gentleman, was no more. Those men had their opportunity, but they had not strength of character equal to it. They were tried and found wanting. The universe, which loves not the high-toned, even in violins, disowned them, and they perished. Cut off from the life-giving current

of thought and feeling which kept the rest of Christendom advancing, they came to love stagnation, and looked out from their dismal, isolated pool with lofty contempt at the gay and active life on the flowing stream. They were not teachable, for they despised the men who could have taught them. But we are bound always to consider that they were subjected to a trial under which human virtue has always given way, and will always. Sudden wealth is itself sufficient to spoil any but the very best men, — those who can instantly set it at work for the general good, and continue to earn an honest livelihood by faithful labor. But those tobacco lords of Virginia, besides making large fortunes in a few years, were the absolute, irresponsible masters of a submissive race. And when these two potent causes of effeminacy and pride had worked out their proper result in the character of the masters, then, behold! their resources fail. Vicious agriculture exhausts the soil, false political economy prevents the existence of a middle class, and the presence of slaves repels emigration. Proud, ignorant, indolent, dissolute, and in debt, the dominant families, one after another, passed away, attesting to the last, by an occasional vigorous shoot, the original virtue of the stock. All this poor John Randolph represented, and was.

Virginia remains. Better men will live in it than have ever yet lived there; but it will not be in this century, and possibly not in the next. It cannot be that so fair a province will not be one day inhabited by a race of men who will work according to the laws of nature, and whom, therefore, the laws of nature will co-operate with and preserve. How superior will such Virginians be to what Dr. Francis Lieber styles the "provincial egotism" of state sovereignty!

Art. VII. — The Mechanics of Modern Naval Warfare.

There is an astonishing discrepancy, of late, in the relative progress of military science and the science of naval warfare; and the advantage is with the latter. How many new methods, even, (for it would be difficult to recount any new principle,) have been introduced into the military art within the last century? Various sorts of rifled ordnance, giving longer range; new explosive projectiles; the new device of hasty field fortifications, taught by the earthwork fighting of the Southern Rebellion; some improvements in the details of quartermaster and commissary departments, and in the transportation of troops, by the use of railroads in war; perhaps, also, bolder experiments with movable infantry columns, as of Wellington in the Peninsula, the Allies in the Crimea, and Sherman in Georgia, though they, even, were not strictly unprecedented; — these, and such as these, make up the record. We find ourselves, accordingly, prosecuting war on substantially the same basis as of old, with the same tactics and logistics, as well as the same strategic principles. We must travel back to the introduction of gunpowder before we find a revolutionary era. Our campaigns are modelled on Napoleon's, Frederic's, nay, on the campaigns of Marlborough, Turenne, and Gustavus Adolphus. We try recent exploits by ancient standards, and feel safe only when stayed up by the canons of tried and admitted authority.

Not so, however, with modern naval science. It has been, not changed, not improved, but absolutely revolutionized within half a century. During the last fifty years, and under the observation of most of those who read these pages, maritime warfare has become a thing so essentially different from what it was before, that the old heroes of the quarter-deck — Blake, De Ruyter, Van Tromp, Vernon, and even Jervis, Duncan, and Nelson — would not now, if recalled to earth, recognize their own profession. These changes, few in number, are yet fundamental. The science of ship-building and the science of ship-fighting have both been reconstructed since the dawn of our century. The whole motive-power of war-vessels is

changed; so is the theory of attack and resistance. New principles of harbor defence, and of the protection of coast-lines in maritime countries, all over the world, have been discovered. And as for ocean combats, Trafalgar or the Nile might as well be as old in history as Salamis, so far as their scientific lessons will avail in future contests. Indeed, it is questionable whether the *ναυμαχία* of the classical Greeks be not a more profitable study, in some regards, than the deeds of the doughty admirals of Spain and Holland. Now, at all events, our new science begins to aim at the points sought by the old, though from a different quarter. We *ram*, in fighting, if nothing better can be accomplished, as the ancients did with their galley-beaks, and we protect our motive-power from hostile missiles, as the Greeks and Romans shielded their banks of oars.

Moreover, the phenomena of modern naval warfare have entirely disordered the prestige and relative positions of leading maritime nations, and assigned them a new relative rank. While the advance in military science has been deliberate and tolerably uniform the world over, the naval changes have been comparatively sudden, and thorough. Accordingly, it is the developments of naval science which have chiefly affected the comparative relations of every state in Europe and America which has a coast-line. This is especially true of Russia, England, France, Sweden, Italy, and the United States; and the fact may serve to account, mechanically and practically, and perhaps quite as well as the hypothesis of the Palmerstonian policy, for the recent extraordinary decline of Great Britain in prestige. England was once, but is no longer, the mistress of the seas. There lies the key of her modern state policy.

So vast is the influence exercised on the fortunes of empires and commonwealths by the progress of naval warfare, that we propose to trace the introduction and influence of its chief new features, touching, as exclusively as may be, on the main points, without trying to describe tentative, unsuccessful, or merely auxiliary processes.

The revolution which has taken place during the last fifty years in the science of naval warfare, by the introduction of

entirely new systems of naval construction and armament, has been wrought by three great agents. These are, first, horizontal shell-firing from the artillery of war-vessels; secondly, the use of steam, or, more strictly, of the screw-propeller, as a naval motor; thirdly, the application of iron armor to prevent the entrance of hostile shot and shell. Perhaps submarine warfare with torpedoes might properly be added.

Each of these three prime agents, *shells*, *steam*, and *iron armor*, on its appearance, instantly produced radical changes in the form and battery of war-vessels. The introduction of shells, for example, diminished number in naval artillery, but increased calibre. Frigates with two tiers of heavy ordnance at length took the place of those huge gun-boxes called line-of-battle ships. Long before the beginning of the Southern Rebellion, this latter species of naval craft was, in the eyes of good judges, obsolete. But the correctness of the theory which rests on the use of the large-calibre shell-gun was never so pointedly demonstrated to popular sight as by the late action between the Kearsarge and Alabama, when the missiles from the former's eleven-inch smooth-bores made great chasms in the side of her opponent. Again, the introduction of steam into war-vessels makes naval movements independent of the fickle wind, and gives them mechanical precision. It was first erroneously looked upon as auxiliary to sails; now the sails are but auxiliary to the screw-propeller. It is almost needless to say that the use of steam as a motor has now become an essential element in the construction of all war-vessels whatever; at one swoop overthrowing, accordingly, the rules and laws of warfare which, less than half a century since, governed the navies of the world. Sails may continue to be used in ordinary cruising, from motives of economy; and even when a vessel is under steam high speed is not always required. Nevertheless, high speed is a *sine qua non* in times of exigency. The naval warfare of the future has been reduced, apparently, by the introduction of iron-clads, to two classes of vessels: first, impregnable and tremendous engines of war, to cover with impenetrable shield a nation's coast and harbors, and to batter down, if occasion requires, the coastwise defences of its enemy; secondly, light ocean guerillas, fleet-winged cruisers, scouring the seas at

the highest speed, and holding commerce at their mercy. The former are represented by such vessels as the Dictator or the Bellerophon; the latter by the Alabamas, the Madawaskas, and the Shenandoahs.

It will be readily seen, however, that, while defining thus distinctly the three agents which have wrought a revolution in modern naval warfare, it will be advantageous, in discussion, no longer to separate them in fixed phrases, as it is often difficult to tell where the influence of one ends and that of another begins. This is especially true in considering the problem of operating enormous guns by mechanical means within shot-proof structures. We propose to show, farther on, and at as much length as possible, how this latter problem will affect the power, and consequently the foreign policy and political destiny, of all maritime nations.

Artillery, and of course gunpowder, were first introduced into war-vessels during the reign of Edward III., about 1350. For five hundred years, however, naval construction did not advance so much as might have been expected from this radical change in weapons. Only, by degrees, ships were divested of much of the unwieldly top-hamper which was necessary in the hand-to-hand conflicts of the Middle Ages, and shorn of masses of the ridiculous decoration, whereof some traces are still observable in the poops and figure-heads of the old-style sailing war-craft. During this long period, the changes introduced in both the modelling and the management of vessels were only such as followed from practice in navigation, — the shape, dimensions, and method of handling the sails being improved with the lapse of time and growth of experience. Not until 1842, with the introduction of the screw-propeller as a naval motor, was any radical change effected. It is said that even sailing on the wind was not generally practised until the reign of Henry VIII., and, without the knowledge of this art, naval evolutions must have been of the rudest character, not enjoying nearly the precision with which the Greeks and Romans manœuvred their war-galleys. One of the first authentic applications of mensuration to find the displacement and draft of a vessel is contained in Pepys's diary for May 19, 1666. Now this would seem to indicate that ships had previously been built by guess-

work. Yet they had been built somehow since the Ark, and constructors must have employed some means to get at so essential and so easily calculated a point as the approximate displacement and draft of a vessel. Yet the well-informed writer on the subject of Ship-Building in the Encyclopædia Britannica thinks Mr. Deane was the first to employ calculation in ship-building. He says: "This gentleman appears therefore to be the first who applied mathematical science to naval architecture in this country." That a discovery so obvious as that made by Archimedes during his reflections in his bath, namely, that a body floating in a fluid displaces its own weight of the fluid, should not have been applied, however unskilfully, to ascertain the displacement or volume of the proposed immersed portion of a vessel, and thus arrive at the draft of water and capacity, seems too incredible to be true. From these brief illustrations, therefore, it will be seen that, however interesting the literature of naval construction during the five centuries preceding our own, it contains very little record of radical progress; and, as even that little has ceased to be of moment to us now, owing to the revolutionary changes already mentioned, we may leap this historic field at a bound.

The most marked event in naval construction in modern times, prior to the introduction of steam, was the American practice of reducing the number of naval guns, and increasing their weight. This is the secret of the naval victories of the war of 1812. Our vessels were constructed with the idea of crowding the battery-power of a full line-of-battle ship into a frigate. This idea America has persistently pursued up to the present moment, and she has been gradually followed by other maritime powers. As a result of this system, in the action between the British 44-gun frigate Guerriere and the American 44-gun frigate Constitution, the former was defeated in a very few minutes by the superior battery of the latter, aided doubtless by superior gunnery practice. The weight of the Guerriere's broadside was 517 pounds; that of the Constitution, 768 pounds. Precisely the same result followed between the British Macedonian and the American United States. The ships were rated the same. Yet the former's broadside was

528 pounds, and that of the latter 864 pounds. Indeed, in those days, the weight of the broadside of an English 100-gun line-of-battle ship was about 1,260 pounds, less than one third more than that of the United States 44-gun frigate.* This superiority in American wooden ships has, according to the London Times, ever since been maintained.

At this point comes in the influence of shell-firing. The destructive effect resulting from throwing shells, instead of balls, into wooden ships has been so marked, that more than one claim for the merit of the adaptation has been made.† But it is difficult to mark the line between "vertical" shell-firing, i. e. that of missiles projected from mortars, and "horizontal" shell-firing, or the projection of shells from guns. For example, under which head shall be put the shell practice against Charleston from General Gillmore's guns on Morris Island, in any accurate classification? The high angle from which these guns were fired would hardly entitle them to be cited under "horizontal" shell-firing. At all events, the naval warfare of the last five years has demonstrated the change which long ago was prophesied as the result of the introduction of this modern artillery practice. Sloops, with but *one* tier of guns, and yet with a displacement equal to that of an old line-of-battle ship, and a proportion of steam-power greater than has ever been placed in steam-vessels for sea-going purposes, are the kind of war-vessels we see now building. Just before the general introduction of iron-clads, America and England had each a series of powerful wooden vessels, which illustrated the point of concentration and weight of battery. The battery of the well-known Victoria, an English 121-gun ship, is far inferior to that of our vessels of the Minnesota class, of 44 or 52 guns, in range, in accuracy, and in power. And in spite of the former's superiority in size of ship, number of guns, and num-

* James's Naval History.

† The French General Paixhans is generally, but erroneously, regarded as the originator of horizontal shell-firing; the real inventor is Colonel Bomford of the American Army, who planned the Columbiad. Sir Howard Douglas (Naval Gunnery, Art. 310, 311) discourses on the anticipated effects of employing shells; and a letter of General Paixhans, published in the *Moniteur* of February, 1854, on the burning of the Turkish fleet at Sinope by the Russian shells during the Crimean war, shows that this was the first action in which his shell was employed.

ber of men, the victory, in a contest between a representative American frigate and a representative British line-of-battle ship, other things being equal, must terminate in favor of the American.*

It was the terrible destructiveness of heavy shells, anticipated at the outset by artillerists, which caused attention to be turned to the necessity of providing iron plates for ships. From the moment that shells were introduced, the collected wooden navies of the world began to lose their value. To test the question, the Admiralty anchored the frigate Hussar off Shoeburyness, in the fall of 1862, and threw at her concussion-shells from a shell-gun. Every one of them went into her and set her afire, and very soon she burned to the water's edge. Heavy shells go through wood like card-board, and fire it with astonishing facility. Discipline is almost as difficult to preserve, under such circumstances, as in a battalion enfiladed by a flank fire. And, in any case, it distracts attention from manning the guns. The larger the ship and the more numerous her crew, the more terrible and demoralizing is the slaughter; for, pent in the narrow wooden walls, with no chance of retreat, the seamen exposed to a shell-fire are literally slaughtered.† And this is the way the intro-

* Our heavy frigates of 1854 were the Merrimack, Minnesota, Wabash, Colorado, Roanoke, and Niagara. The first five were of about 4,000 tons' displacement, but were intended to carry a battery of forty-two 9-inch Dahlgrens, and two 11-inch Dahlgren pivots, both of which can project solid shot or shells.

The Minnesota's armament during the war consisted of one 8-inch rifle pivot, one 11-inch Dahlgren pivot, forty-two 9-inch Dahlgrens in broadside, four 6.4-inch rifles, and four Dahlgren howitzers. The weight of her broadside of solid shot was 2,606 pounds; that of her broadside of shells was 2,123 pounds. Her complement of men was about 650. (See Ordnance Report for 1864.) The displacement of the Niagara was over 5,000 tons, and her original battery was twelve 11-inch Dahlgrens, so mounted as to be used on either side. These celebrated vessels were regarded as having reached the consummation of horizontal shell-firing. Immediately after the famous visit of the Merrimack to Southampton, England commenced building a fleet of frigates to match ours, consisting of such vessels as the Diadem, Mersey, and Orlando. The Victoria, the first of the English line-of-battle ships, was of 5,083 tons' displacement, and carries one hundred and twenty-one guns, as follows: lower deck, thirty-two 8-inch shell guns; middle deck, thirty 8-inch shell guns; main deck, thirty-two 32-pounders; upper deck, twenty-six 32-pounders, one 68-pounder pivot; weight of broadside, about 2,500 pounds; total complement of men, 1,150.

† "We can only feebly imagine the scene after the explosion, under these circumstances, of a few Armstrong segment-shells, scattering deadly fragments of thick

duction of heavy shell-firing has revolutionized warfare. It has quietly dismissed to oblivion great and expensive navies, and sent them to rot in dock-yards, or to be employed in the pacific work of transporting troops or supplies. Two elements, however, here come into play. The first is the heaviness of the ordnance, on the principle of concentration; and the second, the nature of the projectile, i. e. the explosive shell. It will not do to throw light shells in these days of iron-clads.* It is a little singular to note the repeated lessons on the concentration of destructive artillery which America has taught older nations. They began, as we have explained, with the affair of the Constitution and Guerriere, and were manifest all through the war of 1812. Again, in 1854, our heavy frigates taught the same lesson pacifically, and then England heeded it. The third instance was in the battle between the American ship Kearsarge and the English† ship Alabama. This was the first battle ever fought between two vessels in which horizontal shell-firing was employed. And Dahlgren's 11-inch shells sent his opponent to the bottom. The firing of the wooden fleet in Hampton Roads by the shells of the Merrimac had already

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iron on every side. Our old wooden three-deckers have been not inappropriately designated "floating charnel-houses," and such they would inevitably become in a few minutes after the commencement of an action, with our modern appliances for the destruction of human life. No sane or unprejudiced person, we suppose, would trust the honor of the nation to these picturesque and fine old ships, which heretofore have been our salvation and our glory." — *The Quarterly Review*, January, 1864, article on "Guns and Plates."

* On a trial of 130-pound shells against the Warrior plate, the Report of the British Committee on Ordnance says: "Heavier guns, capable of being used with much larger charges of powder, must be adopted before horizontal shell-firing can be looked upon as very destructive to a ship of the Warrior class."

† It is remembered, of course, that the Confederate government had bought this ship of the English; but we speak of it in a mere professional point of view, as illustrating a system of national construction and handling in which, naturally, we cannot use the term "Confederate." This ship being English from truck to keelson; every spar, every inch of canvas, every rope in her, English; built in England; manned by a greater proportion of English native-born subjects than many ships in the Royal Navy; her crew picked, as usual, in English fighting vessels, from men who had been on the English training ships; her artillery all English; and the mode of manœuvring and fighting English; — these things being so, the fact that the Alabama was not flying the English colors is a point for political historians to consider, but it has no scientific bearing. Had the contest resulted otherwise than it did, the glory could not have been robbed from England by the flaunting of Confederate colors.

been decisive that the chief reliance of maritime nations must be in iron-armored ships.

But what shall be said of the revolutionary work of steam? One sentence will tell the story as plainly as a quarto volume. The screw-propeller has changed, at once and forever, the entire motive-power of war-vessels. We attribute this revolution to the "screw-propeller." For many years after the introduction and wide-spread use of steam in commercial craft, war-ships did not use it. The reason was twofold; — first, because of the disarrangement which the huge paddle-wheels must have made with the battery and also with the use of sails; and secondly, because of the fatal exposure of machinery to an enemy's shot, which rendered the paddle-wheel vessel liable to utter helplessness from a single discharge. The honor of inaugurating the new era was reserved for Captain John Ericsson, and through him for America.* The propeller he introduced is, to the present day, with some slight alterations which do not materially affect its efficiency, the one universally employed. Attempts previous to his seem to have been little more than a repetition of the Archimedean experiment of revolving a submerged worm, or helix, attached to a vessel. A complete master of the physical laws involved in the action of oblique surfaces moving in water, and adding thereto high scientific and professional attainments and great mechanical skill, Ericsson was able to plan his propeller, and all its attachments of steam-engines, with perfect accuracy. The entire contrivance worked precisely as predicted, and with no alteration, — all as laid down by him on his drawing-board. We are not, accordingly, to look for any radical improvement on the propeller in future.

The United States steamer Princeton was the first war-propeller ever built. And so admirably well was every part of her machinery planned and constructed, that, when it had worn out one hull in service, a new hull was provided. The Princeton was launched in April, 1842, — a monument of engineering skill. Not only was she the first war-propeller ever built, and the one on which, with slight modifications in de-

* For proof of this point, see Bourne on Screw Propellers; also, Encycl. Britannica, Vol. XX. p. 639.

tails, the vast screw navies of the world have been constructed, but her engine was the also first *direct*-acting engine, that is, one in which the engine seizes directly hold of the shaft, without the intervention of gearing. She was, finally, the first war-vessel which had her entire steam-machinery placed below the water-line, out of the reach of shot. The Greeks and Romans understood the importance of keeping the motive-power of their galleys well protected. They interposed great casemates, so to speak, for the protection of the oarsmen. No manœuvring in naval combats, from those early days to ours, was comparable to that which one reads of in the sea-fights from Salamis to Actium. Ships never were handled so quickly in actual combat under sails as they were under oars; but, above all, the motive-power was never so well protected. After the lapse of so many centuries, we again equal and surpass the ancients in both particulars. The ingenious contrivance of faking the chain-cable along the sides of the ship, in combat, at Forts Jackson and St. Philip, and again more famously on the Kearsarge, is well known. The Princeton would have had no need of such protection, for her steam-machinery was all below the-water line. A departure from this principle, in the case of all our wooden screw ships built before and during the war, suggests the painful possibility of utterly ruining their availability by a single well-directed shot.

It was with inconceivable reluctance that the British Admiralty took up the project of a screw navy. They had rejected Ericsson's invention in 1837, when he had not only offered them his propeller at the outset, but had demonstrated its value by trials with it upon the Thames. The eagerness with which the United States first seized the new instrument, and, more particularly, the alacrity with which France afterwards adopted it, actually forced the English government into building screw ships. The renovation of the entire British Navy, and the substitution of steam for sails, was at length completed, at great expense, in 1859. While we were not quite as slow as the English in this matter, our Navy Department (as it now and then will) in at least one matter vied with them in dulness; for after the propeller was an established success, the British were building sailing frigates, and we, lumbering paddle-wheel frigates.

Vast numbers of screw steamers now figure on the British Naval Register. Nearly all of them, however, — nearly all, at least, of large size, — with the notable exception, of the Mersey class of frigates, built expressly to compete with our frigates of the year 1854, after the visit of the Merrimack to Southampton, are sailing vessels, altered to receive the propeller. In some cases these were lengthened, in others the sterns were reconstructed; in others, both alterations were made. Their wood was almost indestructible, being, in the chief parts of the ship, either teak or live-oak; and hence, when the propeller was put in, they were, for strength and soundness, quite as good as new. Still, the iron-clad now takes the place of these old-fashioned, heavy wooden vessels designed for defence. The work now devolving on wooden ships is different. Fighting each other, assailing commerce, and transport service are the duties to which the wooden fleets of the world are assigned; and even for depredations on commerce and for transport service they are now, or soon will be, behind the times.

So, as we have seen, does steam sweep away fleets and systems of warfare, and render the accumulated naval power of nations of little effect. To show its enormous influence, it will be sufficient to instance a single country, England. She ruled the seas of yore by her trained seamen and by her skill in naval manœuvre. Her models were not better than those of rival nations. Indeed, her ships were not as good as those of France or Holland, throughout the eighteenth century. But her seamen were the best in the world.* At one fell swoop this prestige is gone, since mechanism now performs the functions which once required men. Astonishing as this fact is, — and it is a fact already admitted by British writers, — it is not less so than one other, which shows how strategic position is affected by this revolution in naval warfare. Of old, Britain, safe in her "salt-water girdle," and surrounding herself with a cordon of well-manned navies in the Channel, in the Irish Sea, in the North Sea, and in the Atlantic, laughed at attack. The reminder of Cymbeline's Queen to her royal spouse was always comforting enough to the descendants of their subjects: —

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* See Alison, Vol. II., on the battle of Trafalgar.

> " Remember, sir, my liege,
> The kings your ancestors, together with
> The natural bravery of your isle ; which stands
> As Neptune's park, ribbed and paled in
> With rocks unscalable, and roaring waters ;
> With sands that will not bear your enemies' boats,
> But suck them up to the topmast."

This notion of the availability of the Channel as a line of defence has always been a favorite one with Englishmen, from the days of the Druids to the days of the Guelphs. Now, however, it has been rudely shocked, and perhaps entirely driven out. " The introduction of steam as a propelling power of ships," says a good authority, " has been regarded by some persons as wholly revolutionizing all previous warlike theories. The Duke of Wellington adopted this idea ; but Lord Palmerston, above all others, has maintained that the new system *has almost annihilated the Channel as a line of defence*. . . . . The Report of the Defence Commission adopted, though with less positiveness, the Premier's idea." *

We would gladly pause upon some of the points already suggested, as well as upon matters collateral. But we are fully aware that all the popular interest now attaching to the " mechanics of naval warfare " concentrates upon the great iron-clad question. At this moment this discussion is pushed with extraordinary vigor in England and France. And, indeed, it well may be, for it is of most momentous importance to the welfare of those countries. In this country, having chosen our system long since, and being wedded to it, finding it true in the hour of exigency, for us the period of harassing uncertainty is past ; but in England no scientific question in the whole realm of warfare gets so much and so earnest discussion as this. Within a twelvemonth, probably more than a thousand different articles, of one sort or another, on this subject, have appeared in public there, from the laborious volume to the newspaper paragraph. To this subject, therefore, we will devote as much space as possible.

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* North British Review, August, 1863. When this startling theory of the loss of the Channel as a line of defence was first propounded, Sir Robert Peel, as in duty bound, rigorously attacked it. But Lord Palmerston, in 1860, declares Sir Robert Peel to have originated and maintained it.

Armored vessels may be classified under two general heads; namely, broadside iron-clads, and monitors, or turreted iron-clads. The broadside iron-clad is a vessel of the ordinary form, distributing her guns along both sides of the ship, and having a cuirass of iron secured to her sides. The monitor is a vessel in which the battery, instead of being distributed, is concentrated in pivot guns, protected with a revolving shield or turret of iron, so arranged that, by turning it, the guns can be aimed in any direction. These, of course, are not definitions of the rival systems, but only partial descriptions of some of their most palpable differences. We shall see the other points of distinction in proceeding. The leading maritime nations of the globe now intrust their naval prowess to iron-clads built on one or other of these two systems. France, England, Turkey, and Italy have adopted the broadside system; the United States, Russia, and Sweden, the turret system.

To the turreted iron-clads alone can be properly applied the term *invention*. Merely cuirassing the sides of a vessel with iron armor — which is the only substantial difference between the broadside iron-clad and the old wooden ship it is designed to supersede — can with no propriety be called an invention. It was an ancient expedient to build the sides of war-vessels much thicker than those of commercial ships, and far thicker than mere strength required. The design was, as now with iron-clads, to furnish protection against an enemy's shot. Moreover, descriptions or drawings of very many ancient vessels still exist, in which the sides had been made by this process of cuirassing (for such it may be called) quite as impervious to the artillery then brought against them, as is the present iron armor of the famous La Gloire and Warrior to the most powerful naval guns in use at the time the latter vessels were constructed.* Or, to put the matter in other words, wooden

* James relates an engagement which took place just seventy years ago off the coast of Flanders, between the English ship Glatton, which was built of remarkably stout timber, and four French frigates and two corvettes, a brig and a cutter, — her fifty-six guns "in strong sides" being altogether too much for their two hundred and twenty. Blackwood's Magazine (November, 1860) says her captain "tumbled his old tub amongst them, taking their fire with comparative impunity, and knocking them about with his guns in a manner which astonished them." The French loss was severe; the English, none killed and only two wounded. And this, too,

armor was of old used instead of iron; and the fundamental idea of building vessels with sides strong enough to keep out projectiles is very ancient, perhaps coeval with naval artillery. The mere substitution of one protection for another, of metal rather than wood, however desirable, can hardly be called an invention; and even if it could, the idea cannot be ascribed to any constructor of our day. Sir Howard Douglass says that General Paixhans proposed the use of iron for this purpose about forty years ago. That officer was so impressed with the fearful havoc which one of his shells would create by exploding in a vessel, that, having made so terrible an offensive weapon, he set himself with equal alacrity to construct a defensive work sufficient to neutralize it. He accordingly suggested to the Minister of Marine the expedient of using iron plates thick enough to keep shells from passing through a vessel's sides.†

But a definite proposal for constructing an armored vessel was made, in 1841, by the late R. L. Stevens of Hoboken. His plan was to plate a vessel with iron four and a half inches thick. It was really, in substance, the introduction of the broadside iron-clad system. What might, under ordinary circumstances, have come of this vessel, no one can tell. Perhaps, at this

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though the 26-gun brig and 8-gun cutter got for a while a raking position under the Glatton's stem, where only musketry could reach them. James very properly attributes the victory to the Glatton's 68-pounders, the French only carrying 12- and 24-pounders. Blackwood adds, that "her armament may account for the damage to the enemy, but not for her own trivial casualties; that must go to the credit of stout oak or teak, against the cannon of those days."

Indeed, a little more than two hundred years ago, an official paper by one Gibson, in comparing French and English ships, says: "The French has the advanvantage to fight at a distance, and wee yard-arm to yard-arm. The like advantage wee have over them in shipping; although they are broader and carry a better saile, *our sides are thicker, and better able to receive their shott;* by this they are more subject to be sunk by gunn shott than wee." —*Encyc. Brit.*, Art. "Ship-Building."

† "The Comité Consulatif de la Marine at that time having caused the weight of an iron covering, and the capability of ships to bear the load, to be calculated, found that such armor could not be applied to line-of-battle ships of the lowest class, to frigates, or to smaller vessels. With respect to ships with three decks, the Comité stated in its Report, that the great displacement of these would enable them to bear the requisite weight, provided the quantity of artillery on the upper decks was diminished. . . . . This inquiry led, however, to no attempt in France to cuirass ships of war, and the project was at the time abandoned, apparently as impracticable."

moment, our navy might have consisted of fleets of iron-clads, like those of France and England. Fortunately, Captain Stockton, through Ericsson, exploded the Stevens theory by one shot from his famous 12-inch gun. This shot, weighing 224 pounds, and behind which burned thirty pounds of powder, was fired against a 4½-inch iron target, equivalent to a section of the armor proposed by Stevens. The ball pierced the target, and, beyond, plunged through a sand-bank eight feet in thickness. How much farther it went is unimportant to say. The project of the armored ship was abandoned by our country, for a time.

Stevens's project had the merit of priority. The iron-clads afterwards built by the Emperor Napoleon accordingly lose even the merit of originality; while the English were yet one remove farther from a claim to invention, since they followed Napoleon. The first iron-clads used in actual warfare were the floating batteries built by Napoleon during the Crimean war.* These the English made haste to copy, but their copies were of the rudest description. The action in which the French batteries took part was the attack upon Fort Kinburn, in the Crimea. The fire to which they were subjected was distant and not very heavy, and the batteries formed a small part of the force which attacked those "dilapidated" works. Chambers's History of the Russian War says the English portion of the attacking squadron was six steam line-of-battle ships, seventeen steam frigates and sloops, ten gun-boats, six mortar-vessels, three steam tenders, ten transports, — in all, fifty-two

* The descriptions of these vessels tell us that the decks were of plank, resting upon 10½-inch beams, placed 1 foot 9 inches from centre to centre. The top sides were covered with 6-inch plank, over which, extending to three feet below the water-line, was a sheathing of wrought-iron plates, 14 feet long, 20 inches wide, and 4½ inches thick, each secured to the hull by 1¼-inch screw-bolts. They are barque rigged, well fitted with non-condensing engines and screw propellers, and can make, under steam alone, four and a half to five knots.† They are pierced for thirty guns, and mount from fourteen to sixteen sixty-eights.

Dimensions of two of the English batteries: —

	H. Power.	Length.	Exterior Breadth.	Depth.	Draft.
Meteor,	150	173	43.6	14.7	7.9
Thunderbolt,	200	186	48.6	18.6	6.6

† Major Delafield states that one of the French batteries of this class steamed at the rate of one and a half knots per hour.

vessels, carrying about fifteen hundred guns and five thousand troops of all kinds. The French supplied, besides the three *floating batteries*, seven ships of the line and several smaller vessels. It was against this combined attack with ordnance, much more numerous and powerful than it possessed, that Fort Kinburn yielded. The floating batteries engaged at a distance of seven hundred yards, and at that distance proved invulnerable to 32-pound shot with 10-pound charges, — the largest calibre which was mounted on the fort.

The affair at Fort Kinburn is chiefly to be remembered as being the first time that iron-clad vessels were employed in actual warfare. The batteries were La Devastation, La Lave, and La Tourmente. The action is sometimes adduced as a strong proof of the power of iron-clads; but examination shows that it demonstrated very little with regard to their capabilities as engines of war. The chief fact, indeed, which it proved was the impregnability of their batteries to 32-pounder shot, at the distance of about seven hundred yards. Nevertheless, they were regarded by professional writers in Europe as failures. And the result of the attack would doubtless have been different, as far as regards these floating batteries, had the Russian works been casemated or been built of earth, and furnished with guns of heavy calibre. As a matter of fact, the Russian cannon were all mounted *en barbette*, with no traverses, and, worst of all, were erected on a low site, commanded by the guns of the allied fleet. In one word, the affair is of chronological rather than of naval interest, its chief importance being to mark the opening of the iron-clad era.

On the 9th of July, 1860, the iron-clad La Gloire was launched at Toulon, giving form to the idea so many years before promulgated by Paixhans. There was, nevertheless, a fundamental difference between the idea and this application of it; for the attempt was now made, not to build a mere floating battery, a simple box of guns, but a swift, invulnerable ocean vessel. According to Admiral Paris, the body of La Gloire is modelled on the lines of the Napoleon, a famous line-of-battle ship of ninety-one guns, and is of equal displacement; but she carries a much greater weight than that vessel, and consequently draws more water. The battery of the Napoleon weighed

4,438 hundred-weight, while that of La Gloire weighs 3,276 hundred-weight, and her armor weighs in addition about 820 tons. La Gloire is 250 feet long, has 55 feet breadth of beam, and draws, when loaded, 27 feet of water. Her armor is four and a half inches thick, increased to five inches at the water-line.

The woodcut of La Gloire, which is prefixed to Admiral Paris's work, shows plainly that her designer happily did not permit himself to be trammelled by conventionalities and time-honored usages in ship-building. The cumbersome and useless figure-head, which less daring innovators would not have ventured to touch, had no sacredness for him. The bow is perfectly plain, and the stem inclines somewhat backward from a vertical line.* This feature in construction we suppose to have been adopted for several reasons; — to increase the ship's power as a ram; to dispense with unnecessary weight; and to render the task of bending and fastening the armor-plates at the bow much less difficult than had it been of the conventional shape. In like manner, the stern is of the simplest form; and, in a word, the hull of La Gloire has the air of being made for service, not for ornament. The same observation may be made of her rig. It is very simple, consisting of three masts, with very long mastheads, designed probably to give firm support to the topmasts, without their depending too much on the rigging. The bowsprit is a short, straight, stumpy affair, and can evidently be removed at pleasure. The usual elaborate head-gear, as we have said, is discarded. The whole design in the rigging is plainly to have as few ropes as possible to be shot away, and so endanger the action of the screw by fouling it. La Gloire is fitted with plain fore-and-aft sails, with the exception of the foremast, which carries square sails. We have described the rigging and sails of this vessel at some length, in order to indicate how completely naval warfare has become a mechanical problem. Sails will never again, in all probability, be used in a naval fight.

La Gloire is pierced, in the usual way, with twenty gun-

* This idea was doubtless a copy of the model inaugurated by Mr. E. K. Collins, founder of the Collins Line of American Ocean Steamships, in the Atlantic, Baltic, Arctic, Pacific, and Adriatic.

ports on each side, of which the lower edge is about six feet above the water-line, while the top of the bulwark is about fifteen feet above the same line. The steering gear is placed in an iron tower, pierced with lookout apertures, located on the upper deck just forward of the mizzen-mast. The engines are of 900 nominal horse-power, and probably can develop between 3,500 and 4,000 actual or indicated horse-power. Her maximum speed is said to be thirteen knots per hour; but this assertion we hold to be very questionable. The bunkers are said to be capacious enough to contain coal for five days' steaming at this alleged rate. As the consumption, of course, would be proportionally reduced at lower rates, it may be conceded that her coal capacity is sufficient for duty in European waters.

As the shape under water of La Gloire is the same as that of the Napoleon, it was obviously the intention, in designing the former vessel, to use the displacement saved by cutting down the vessel, by decreasing the weight of her masts, and so forth, and by the less weight of provisions required for a less numerous crew, (for La Gloire's crew is but 550 men, while that of the Napoleon is upward of 900,) for carrying the armor which covers the ship. But here we come to one of the difficulties which La Gloire, with other broadside iron-clads, has experienced. It is well known that the position of weights in a vessel exercises a great influence on its motion in a sea way. Safety may surely be compromised by an injudicious arrangement of weights. It may be readily imagined that a ship of the mid-section of La Gloire, overloaded with an enormous weight of armor spread over her nearly vertical sides, together with the weight of the battery, which is of course placed along the sides, will roll deeply. The weight of the iron cuirass, placed high above the water-line, raises the centre of gravity very much higher than the conditions of stability require. The centre of gravity of the weight of a stable ship is usually very near the water-line. In La Gloire it is some distance above that line, and much higher than in ordinary vessels, rendering her of necessity deficient in steadiness. It is true that the centre of gravity could be brought down to the required point by the use of ballast, which would counteract the top-weight of her armor. But, unhappily, it is as much as a broadside iron-clad can do to

stagger under the enormous weight of iron with which she is covered. There is no floating power left for ballast.

Another element which adds to the rolling motion is the momentum of the heavy weight attached to the sides of broadside ships, so far from the centre of motion. This causes the rolling to be much greater than the action of the sea would of itself produce. We, too, on this side of the Atlantic, have tested this truth by actual experience in the case of the United States steam-frigate Roanoke. That vessel was cut down to a level with the gun-deck ports, the hull plated for the greater part with $4\frac{1}{2}$-inch slabs, and three turrets mounted on her. Although it is said that the weights added do not exceed those removed, the rolling is much greater than it was formerly.* It is not, indeed, intended to assert that the rolling of broadside iron-clads will endanger their safety, or render them unfit to navigate stormy seas, but it will unquestionably expose their sides below the armor, even when the rolling is comparatively moderate, and so leave the ship open, after all, to a shot in the very point most needing protection.† And, again, even moderate rolling must render it very difficult to manage artillery, and seriously interfere with accurate gunnery. It would seem to be impossible, for example, for La Gloire, except in smooth weather, to use her guns at all, on account of the water rushing up to her ports, and into them too; for her ports are but *six* feet from the water. And even if the rolling motion be not so great as to prevent the use of the heaviest naval guns now mounted in broadside, it will certainly preclude the use of guns of the weight necessary to use large charges of powder with the present appliances for working them.‡ What is true of the French broadside iron-clads is, of course, true of the English, which were copied from across the Channel. Thus, for one example, the Warrior, which was the English La Gloire, although fitted with wide bilge-keels, rolls thirty-eight

* See Report of Captain Sands to the Secretary of the Navy.

† See Xavier Raymond's tables of the rolling of the French iron-clads in the *Revue des Deux Mondes.*

‡ The English have lately succeeded in working a 12-ton gun by the use of the Monitor carriage and friction gear. They are so delighted as to contemplate knighting the officer who had the shrewdness to appropriate this familiar American device.

degrees.* This point could be easily expanded and illustrated through an entire volume. But it is enough to show, as we have done, how in broadside iron-clads like the French La Gloire and the English Warrior, this defect of rolling seriously impairs their use both for offence and defence, alike as to the use of their own batteries and protection against an enemy's.

But the rolling, although a fatal defect in broadside iron-clads, is not the only fatal defect, or even the chief one. It is an utter impossibility to design a broadside iron-clad of respectable model, whose sides shall be covered with even the minimum thickness of armor, worthy to be called "impregnable" to existing service cannon, and which shall be fitted with the weight of machinery necessary to furnish the speed possessed by first-class men-of-war, — it is absolutely impossible, we repeat, to build a broadside iron-clad possessing these primary and essential qualifications, without constructing it upon dimensions wholly without precedent in ship-building before the day of iron-clads, the Great Eastern alone excepted. This necessity for unprecedented dimensions, on the broadside theory, scientific observers saw at the outset; and even could these enormous dimensions be reached, the attainment of impregnability against the modern ordnance, which was rapidly approaching perfection, must have been extremely problematical in the minds even of the warmest advocates of broadside iron-clads. To this must be added still another fundamental objection, — the difficulty of working in broadside such ordnance as is necessary to perforate the armor of adversaries. Even the ordinary European armor — four and a half inches of iron with twenty of wood backing — requires for its piercing guns of such calibre as can with great difficulty be worked in broadside. This knotty problem is still the subject of constant study in England, and has not as yet received satisfactory solution.†

Indeed, the broadside system of iron-clads is almost self-con-

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* Journal of the Royal United Service Institution. See Captain Selwyn's remarks on this point.

† Captain Ericsson, however, has at length designed, for this country, a broadside-gun carriage which, after severe tests with the 15-inch (20-ton) gun, is found to have complete control over it even in a sea-way.

demning and suicidal. It presents fundamental objections at the outset on the only three points which can possibly make iron-clads of any value, — available seaworthiness and good behavior, impregnability, and practical battery power great enough to destroy armored adversaries. To some extent these objections are removable as between broadside iron-clads themselves. But then they only substitute one species of equal warfare for another; and French and English iron-clads can contend now with absolute, but not relative, impregnability changed. So far as any comparative gain, any change of proportion in fighting power, is achieved, neither nation has much to boast; but when we come to compare the broadside iron-clads with the monitors, all these intrinsic defects become at once magnified to irreparable and ruinous blunders. We find that armor cannot be applied to broadside iron-clads sufficiently thick to resist modern ordnance. We find insuperable difficulties in mounting and working cannon at all suitable for iron-clad warfare. We find an inevitable heavy rolling, which not only makes good gunnery impossible on the one hand, but frequently exposes, on the other, the unarmed portions of the ship at each roll.

The simplest method of explaining the vulnerability of the heaviest broadside iron-clads ever constructed, is to take the two tables which we shall insert for this and kindred purposes, and then turn to any of the tables containing the most important experiments with guns against plates. It will be seen, by mathemetical demonstration and by recorded experiences, that targets fairly representing sections of the heaviest broadside iron-clads, either built or building, have been repeatedly shot through and through by artillery much less powerful than that used for years by our monitors. The armor of the Warrior proved impregnable to the 68-pounder of ninety-five hundredweight, — the heaviest gun, at that time, in the British Navy. But the first 10½-inch wrought-iron gun, fired with a 50-pound charge against this armor, sent a 150-pound shot through it as if it had been pasteboard; and the 13-inch wrought-iron gun crushed a hole in it nearly as great as one made by a shot two feet in diameter. The Iron-plate Committee, appointed by the British government to test the shot-resisting powers of various

styles of armor, conclude that their broadside ships cannot be made impregnable to modern artillery. The conclusion was sound, and had been drawn long before the Committee drew it by every engineer and artillerist who thoroughly knew his business and had given the subject attention. No vessel, say the Committee substantially, of the ordinary form, of any practicable size, can be made either impregnable or with an approach to impregnability.

It is a matter of demonstration that the English broadside system renders it imperative that their iron ships shall be huge, of deep draught, and consequently unwieldy. The ability of vessels to carry armor depends on the conditions which determine the carrying of any other load. This ability, of course, varies as the cube of the dimensions, while the area of the sides varies as the square of the dimensions. Hence, if we double the dimensions, we increase the displacement eight times, while the area of the sides increases only four times. It is easily seen, therefore, why these English broadside ships must be so large.* As with the Warrior, the first, so it is with the Northumberland, the last of them. The Warrior and Black Prince were fiercely assailed by a part of the British press, because they were only covered amidships with armor, both ends being left uncased. But the critics should have remembered that it was the fault of the system, not of the mechanics. The fact is, with a displacement of nearly ten thousand tons, these vessels could hold up an armor four and a half inches thick, with but eighteen inches of wood backing, over only seven thirteenths of their length. But the outcry was so great, that a desperate attempt was made with a new class, represented by the Northumberland, — a

* The admiralty writer in the Cornhill Magazine for February, 1861, says, "The enormous dimensions of the Warrior must have excited surprise," and then shows why "so large, and therefore so costly," a ship has been adopted. He says: "High speed had to be attained in combination with a shot-proof hull. Had not the proposal to leave the ends of the ship uncased been thought of, this combination would have been practically impossible, except with far greater dimensions than even the Warrior's; because the enormous weight of the armor would have required a corresponding displacement to support it; and this, again, would have needed still heavier engines to drive the ship through the water." See also the table from Norman Russell, and remarks by Scott Russell in the Artizan for 1862, p. 252.

gigantic vessel, only equalled in size by the Great Eastern. Yet, though she has upwards of ten thousand tons' displacement, she can only carry a complete armor of five and a half inches of iron and nine inches of wood. This latest fact in construction shows that an impregnable broadside iron-clad, of any dimensions at all practical, cannot be built. The great size and draught of those already built interfere with their usefulness.

Let us give some of the dimensions of the Warrior, the representative English iron-clad, as we did those of La Gloire, the representative French iron-clad. She is built of iron, with the exception of the deck plank and armor backing. She is 420 feet long over all; length between perpendiculars, 380 feet; breadth, 58 feet; tonnage, 6,177. But the ship ready for sea displaces nearly, if not quite, ten thousand tons of water, which is the total weight of the vessel. She is propelled by engines attached directly to the screw shaft. The cylinders are each 104 (effective) inches in diameter by four feet length of stroke. The boilers are of sufficient power to supply them with the quantity of steam necessary to develop about six thousand horse-power.

Having thus described the Warrior and La Gloire in detail, it only remains to append corrected lists of the English and French iron-clad fleets as they now stand, that at a glance may be seen the naval condition of those two countries.

One more step remained in naval warfare. It was taken at the advent of the Monitor. In 1861, the American Navy was in a critical condition. It is true, that it far surpassed the scanty flotilla of the Southern insurgents, and that it maintained a stringent blockade of the Southern coasts. But a new need quite as serious was pressing upon us. Foreign nations threatened to interfere in our civil war, and to take part with the insurrection. What had we to keep their fleets away from our shores? England and France were hurrying to completion enormous iron-armored vessels. Our navy was powerless to cope with these monsters. They alone, without the use of a single regiment, could have opened the Southern ports, and paralyzed our war-vessels. Our only resource against this threatening danger was to build a fleet of great iron-clads ourselves. Yet this resource was apparently not in our power. Our pro-

THE IRON-CLADS OF THE BRITISH NAVY.

Names of Vessels.	All Vessels Built and Building. Tonnage.*	Length.	Beam.	Height out of Water.	Draught.	No. of Rifle Guns.	Kind and Size of Rifle Guns.	No. of Smooth Bores.	Kind of Smooth Bores.	Side Armor and Casemate. Length of Casemated part.	Thickness of Armor-Plates.	Thickness of Backing.	Thickness of Skin.	Diameter of Cylinder.	Length of Stroke.	Indicated H. P.	Speed in Knots.†	Mean Draught.
		ft. in.	ft. in.	ft. in.	ft. in.		P'ndrs.		P'nd.	ft. in.	in.	in.	in.	in.	ft. in.			ft. in.
Warrior - - -	6109	380 0	58 4	20 0	26 $3\frac{1}{2}$	10	110	26	68	213 0	$4\frac{1}{2}$	18	9–16	104 effective	4 0	5471	14.4	25 $11\frac{1}{2}$‡
						4	40											
Black Prince - -	6109	380 0	58 4	20 0	26 9	11	110	26	68	213 0	$4\frac{1}{2}$	18	9–16	104 effective	4 0	5774	13.6	26 $9\frac{1}{2}$‡
						4	40											
Resistance - -	3710	280 0	54 1	18 2	24 10	6	110	10	68	143 0	$4\frac{1}{2}$	18	9–16	$70\frac{3}{4}$ effective	3 6	2424	11.8	24 $10\frac{1}{2}$
								2	32									
Defence - - -	3720	280 0	54 2	18 2	24 11	6	110	10	68	143 0	$4\frac{1}{2}$	18	9–16	$70\frac{3}{4}$ effective	3 6	2533	11.6	24 10
								2	32									
Hector - - -	4089	280 0	56 5	18 7	24 8	10	110	24	68	216 0	$4\frac{1}{2}$	18	9–16	82	4 0			
Valiant - - -	4063	280 0	- -	18 7	24 8	10	110	24	68	216 0	$4\frac{1}{2}$	18	9–16	82	4 0			
Royal Oak - -	4056	273 0	58 6	18 10	24 $7\frac{1}{2}$	11	110	24	68	All	$4\frac{1}{2}$	-	- -	82	4 0	3703	12.5	24 8
Prince Consort -	4045	273 0	58 5	18 7	25 $10\frac{1}{2}$	11	110	24	68	All	$4\frac{1}{2}$	-	- -	92	4 0	4234	13.1	24 $8\frac{1}{4}$
Caledonia - -	4125	273 0	59 2	18 7	25 $10\frac{1}{2}$	11	110	24	68	All	$4\frac{1}{2}$	-	- -	92	4 0			
Ocean - - -	4047	273 0	58 5	18 7	25 $10\frac{1}{2}$	11	110	24	68	All	$4\frac{1}{2}$	-	- -	92	4 0			
Royal Alfred -	4045	273 0	58 5	18 10	25 $7\frac{1}{2}$	11	110	24	68	All	$4\frac{1}{2}$	-	- -	82	4 0			
Zealous - - -	3716	252 0	58 7	18 0	25 3	12	110	8	68	103 0	$4\frac{1}{2}$	-	- -	82	4 0			
Achilles - - -	6079	380 0	58 $3\frac{1}{2}$	20 2	26 $3\frac{1}{2}$	12	110	20	68	213 0	$4\frac{1}{2}$	18	9–16	104 effective	4 0			

Minotaur	6621	400 0	59 3½	20	2	25	8	12	110	26	68	All except 24 ft. at the bow partially protected.	5½	9	9–16	104 effective	4 4					
Northumberland	6621	400 0	59 3½	20	2	25	8	12	110	26	68		5½	9	9–16	104 effective	4 4					
Agincourt	6621	400 0	59 3½	20	2	25	8	12	110	26	68		5½	9	9–16	101	4 6					
Favorite	2186	225 0	46 9	14	1	20	5	10	110	- -	- -	66 3	4½	- -	- -	64	2 8					
Research	1253	195 0	38 6	12	0	14	0	2	110	2	68	34 9	4½	- -	- -	50	2 0					
Enterprise	990	180 0	36 0	12	5	14	4	4	110	- -	- -	34 0	4½	- -	- -	45	1 6					
Royal Sovereign	3963	240 7	62 ½	9	7	22	11	5	12 Ton Guns.	- -	- -	All	5½	- -	- -	82	4 0					
Prince Albert	2529	240 0	48 0	8	6	20	0	Armament not decided on.				All	4½	18	½	72	3 0					
Lord Warden	4067	280 0	58 9	18	9	25	3	36	110	- -	- -	All	4½									
Lord Clyde	4067	280 0	58 9	18	9	25	3	36	110 or 68	- -	- -	All	4½ 5½	- -	- -	116	4 0					
Bellerophon	4246	300 0	56 0	15	6	23	6	10	300	- -	- -	90 3	6	10	1½	104 effective	4 0	- -	- -	25	0	
Pallas	2372	225 0	50 0	15	0	21	0	4	110	- -	- -	39 2	4½									

* Not the tons' displacement.

† Speed attained at the measured mile, in smooth water, with boilers new and free from scale, bottom of vessel clean, and with picked coal and stokers, conditions which cannot obtain in service. It is safe to deduct from 1½ to 2 knots for service speed.

‡ The draught of these vessels exceeded this at the trial.

N. B. The "length" given is in every case the length between perpendiculars. The "draught" is the mean load draught, taking the actual draught of ships completed and equipped, and the estimated draught for the others. The "length of the casemated part" is the length of protected battery.

The height out of water is measured at the top of the plank-sheer, and does not include the hammock berthing. In the Royal Sovereign and Prince Albert it is measured to the top of the deck only, as the bulwarks will be made to turn down. The two latter are "cupola ships," having each 4 cupolas, with armor 5½ inches thick, and a backing of 17 inches, and the skin 1½ inches.

The Warrior's cost was about $ 2,000,000; the Caledonia, Royal Alfred, and Lord Clyde, average $ 1,200,000. Blackwood lately declared that £ 40,000,000 (nearly $ 200,000,000) had been spent for the British iron-clad fleet.

THE IRON CLADS OF THE FRENCH NAVY.

Names of Vessels.	Displacement.	Length.	Beam.	Draught.	Thickness of Armor-Plates.	Thickness of backing.	Weight of Armor.	Nominal Horse-Power.	Speed in Knots.
	Tons.	ft.	ft.	ft.	in.	in.	Tons.		
*Magenta † §	6750	280	57	26	4 to 4½		900	1000	13½
*Solferino † ‖	6750	280	57	26	4 to 4½		900	1000	13½
Couronne (iron) ‡ §	6000	260	55	25	4½ to 3	15	700	900	13
Normandie †	5650	255	56	26	4½		800	900	13½
Invincible †	5525	255	56	25½	4½		800	900	13½
Gloire †	5650	255	56	25½	4½		800	1000	13½
Provence ‡	5700	260	56	25	6		1000	900	14
Heroine (iron) ‡	5700	260	56	25	6	15	1000	1000	
Savoie (building)	5700	260	56	25	6		1000	1000	
Revanche	5700	260	56	25	6		1000	1000	
Surveillante	5700	260	56	25	6		1000	1000	
Flandre	5700	260	56	25	6		1000	1000	
Guyenne	5700	260	56	25	6		1000	1000	
Gauloise	5700	260	56	25	6		1000	1000	
Valereuse	5700	260	56	25	6		1000	1000	
Magnanime	5700	260	56	25	6		1000	1000	
Taureau	2450	200	47½	16	4½		800	1000	
Belliqueux	3350	230	40	19½	6		800	900	

* 52 breech-loading rifle-guns 6.4 inches calibre; a gun corresponding in power to the 100-pounder Armstrong.

† Carries the guns 5.9 feet from water-line. Armored at the water-line, and over that portion in which the guns are placed. Bows and stern above water-line unprotected.

‡ Carries the guns 6.4 feet from water-line. Protected at the water-line and over the battery after the manner adopted by Mr. Reed in the English Navy.

§ Turned in a circle of 976 feet radius, according to M. Raymond.

‖ Turned in a circle of 1216 feet radius, according to M. Raymond.

N. B. This Table, although meagre, gives an accurate idea of the capabilities and power of these vessels. The principal dimensions and thickness of armor are correct. Various sources of information have been compared, and they have been found to agree on these points.

The cost of the French iron-clads was: — Magenta and Solferino, 12,000,000 francs each; Couronne, Normandie, Invincible, Gloire, Provence, Heroine, 7,000,000 francs each.

In a recent letter to the London Times, M. Dupuy de Lôme, the designer of the French iron-clads, unintentionally furnished evidence that the speed of these vessels has been greatly overrated.

spective iron-fleet must, of course, have equalled in invulnerability the Transatlantic La Gloires and Warriors. But we have already shown that equal invulnerability on that plan demands equal dimensions. Let the reader, then, with pencil in hand, estimate how long it would have taken our government to build a dozen Warriors,—iron vessels of magnitude only excelled by the Great Eastern! Let him consider how few establishments could have essayed to build such vessels at all, with our deficiency in the appliances and experience of iron ship-building, and the narrow limits of the labor available for such work. A full half of the builders employed in constructing the iron-clads which we actually used, drove their first rivet after the war broke out; and we honestly believe an American fleet of Warriors would not have been completed up to this day.

Cost, too, was as worthy of consideration as time, in the projected iron-clads. The Warrior cost immense sums of money; but it would have cost even one half more in America. When, in the fall of 1862, we were threatened by the Navy Department with two seven-thousand ton iron-clads, three bids for their construction were received, of which two were precisely the same, namely, $4,200,000 for each vessel; and at that time gold was only at about 130. How many such vessels we could afford to build, especially when gold began to rise in value, was a pretty serious question in the state of our national finances. Before they were finished, these vessels would have cost seven millions apiece. But, again, if such a fleet of broadside iron-clads could have been afforded, and could have been constructed in season (as it could not), it would have left us only on equal terms with foreign powers; and of what use, meanwhile, would it have been for our immediate necessities? Their great draught of water (as the table of British iron-clads will show) would have made them useless as blockaders, nor could they have operated in any way against the Southern ports. Of what use would it have been to us, so far as hemming in the Rebellion was concerned, if Great Britain had presented to us three years ago her whole fleet of titanic iron-clads? They could scarcely approach within sight of our coast, from Cape Henry to Key West. If kept in commission at all, it would have taken a numerous army of

sailors to man them, to say nothing of other expenses. The most judicious and practical use of such a magnificent gift (if we had only had a navy-yard with sufficient depth of water) would have been to put the whole fleet in ordinary. The man who drew the elephant at a raffle is the only one whose experience would have been worth our consulting.

Such was the national dilemma at the outbreak of the war; and there was ample reason for alarm and despondency. Above all, the Navy Department, well knowing that iron-clads of some sort must be instantly built, was sorely perplexed. The inapplicability of the European system of broadsides to our needs — from their great draught, enormous size, unwieldiness, great cost, time required in building, and their vulnerability, after all, to heavy guns — was well understood by the Secretary and his practical Assistant. The iron-clads proposed, we could hardly afford; they could not be got ready for service for years; and, when ready, they would be unfit for their purpose. The Southern harbors in which large iron-clads can manœuvre are very few; and though the draught need not be increased proportionally to the length, yet, with a model even just tolerable, a seaworthy vessel can neither be very shallow nor indeed very flat-bottomed. At this crisis in our national destiny appeared the solution of the momentous problem, and a solution complete and perfect, — the American Monitor. This invention instantly neutralized the aggressive power of the English and French monster iron-clads. Time, expense, adaptability, invulnerability, — everything was met and made plain. We were able to launch, in an incredibly brief time, iron-clads of *one eighth* the Warrior's displacement, at *one eighth* of her cost, with much less than *one half* her draught, yet with double her invulnerability and a battery far surpassing hers in power. A complete cuirass of armor protected every part, and within could be mounted and handled guns of twenty tons; while the heaviest guns even yet in service in either the English or French navy do not weigh more than six tons, and their use is attended with difficulties.

The Monitor was an original invention of Captain Ericsson.*

* Inquiry into the Origin and Qualities of the Turret System. London: Longmans, Green, & Co. 1866.

The first vessel was built in one hundred days. And when we consider that, although the design had long been familiar in the brain of its inventor, it was entirely novel in every part, and was fairly made up of innovations on tried models; that many diverse inventions, each complete in itself, were combined in it; that every part was arranged with such precision that it worked to perfection; and that its mechanical construction had to be conducted absolutely without the aid of experience and experiment, — this must be pronounced one of the most marvellous achievements in the mechanics of naval warfare. The principle on which the original Monitor was constructed has since been adopted, without any alteration whatever, for all succeeding monitors, whether of wood or iron. The only changes have been in matters of detail, with regard to which, of course, on account of the haste of the original construction, there was opportunity for improvement. The conception of a turreted iron-clad, however, is far inferior to the task involved in carrying out all its details to successful operation. The most distinctive feature of the monitor iron-clad is in building her so low in the water that the waves, instead of devoting their strength to beating against her sides, may flow over her, powerless to inflict injury. Next to that is undoubtedly the turret. This turret is simply a cylindrical gun-shield, with the machinery that revolves it so protected as not to be disarranged by the impact of hostile shot. Only one piece of the revolving machinery is attached to the turret; and of this alone, of course, could injury be predicated. This piece is a cog-wheel, about seven feet in diameter, without arms, and bolted to the four wrought-iron gun-slides and the large wrought-iron cross-beam running at right angles to these. This beam has a large eye in the centre, which fits over a heavy wrought-iron stationary shaft resting on the bottom of the vessel. The under side of the eye rests on a collar forged on this shaft. Hence the periphery of the cog-wheel is at least seven feet from the outer circumference of the turret, — the whole diameter of the latter being upwards of twenty-one feet. Of course, no blow delivered on the exterior of the turret can damage this machinery.

But cannot shot, striking at the base of the turret, impede

its revolution? They cannot. A broad, polished, flat ring is planted in the deck, whereon the turret-base, which is another polished flat ring, revolves. These rings are two or three inches wider than the thickness of the turret. The result is a water-tight joint; and a safe revolution is guaranteed by the absence of any flanges or other obstructions against which the turret can be jammed by the impact of hostile shot. English observers usually think that the key, or wedge, situate underneath the stationary central shaft, is designed to lift the turret, so that it will revolve on this as its central axis; but in fact the key is only designed to relieve slightly the weight of the turret on the broad, flat ring on which it turns. Its purpose is merely to sustain part of the weight of the guns, gun-carriages, and pilot-house. Lifting the turret from the deck would not permit it to be revolved with the steadiness necessary for the accurate aiming of the guns; and besides, the dirt would wash in between the turret and the deck, and the rings already described would not form a water-tight joint. The writer has sufficient reason to believe that Ericsson's own idea of a perfect turret, as regards its revolving qualities, is one unprovided with any means of lifting the central stationary shaft, and one revolved by engines so powerful and gearing so strong as to turn the turret with the whole superincumbent weight of turret, guns, and gun-carriages.

To an unprofessional observer the monitor iron-clad appears to be a simple structure, a single conception, the product of a single application of inventing power. Even in this light, however, there is something æsthetically satisfactory in the appearance of the monitor. It is a long, black line, placidly recumbent, with a great cylinder bolt upright in the centre. "An ugly customer, — a hard thing to hit," is the involuntary comment. But when one who understands the phenomenon explains its interior mechanism, he will have to recount at least twoscore separate and distinct inventions, each of which is worthy of high praise. Such a recital never having been made, let us briefly mention several of the more important.

The ruling idea of the monitor is the concentration of guns and of armor, — of both the offensive and the defensive power. This idea involves enormous guns. Enormous guns involve

the necessity of the mechanism suitable for handling them. Thence the invention of the beautiful wrought-iron gun-carriages; and again the mechanical appliances for running the guns in and out; and finally the new compressor-gear for taking up the recoil. When we reflect that the service-charge of the 15-inch gun is sixty pounds of powder, it will be seen what the duty is which is thus imposed on all parts of this magnificent apparatus.

Next we come to the port-stopper. The problem of closing gun-ports, on the withdrawal of the piece for reloading, so as to prevent hostile shot from entering at the aperture, is one which has engaged the attention of artillerists for a great many years. In the monitor this is accomplished by a curved forging of wrought-iron, of the same thickness as the turret. It is supported at top and bottom, and so accurately pivoted and balanced, that, though it weighs several tons, one man can easily close it. We are free to pronounce this one of the neatest of the lesser features of the monitor. Next comes the pilot-house. Where shall this be placed? Obviously not on the deck, as it would interfere with the horizontal sector of fire of the guns in the turret. Its only possible position is on the top of the turret itself; and there accordingly it is placed. But the turret in action may be required to be revolved, while the pilot-house must be kept stationary. A new contrivance at this point becomes necessary. This is accomplished by a central column of wrought-iron, around which the cylindrical turret rotates, and to the top of which the pilot-house is firmly secured. But may not the steering gear of the vessel, which is in the pilot-house, be disarranged on its perch? This danger is obviated by burying the rods of the gear in the central column. In the heavy monitors the pilot-house is of iron, upwards of twelve inches thick, and beyond the danger of piercing by any artillery now in use. But lest, by remote possibility, any accident should happen to the pilot-house, another provision for steering is fixed underneath the turret, for use in case of need.

As the turret weighs, in any monitor, several hundred tons, an extraordinary foundation must be provided for it. This foundation consists, first, of the enormous wrought-iron bulkheads, a little less distance apart, in a fore-and-aft direction,

than the diameter of the turret. To these are riveted two similar bulkheads at right angles to the others, and about the same distance apart. The whole forms a hollow, massive, rectangular column, extending the whole depth of the vessel, and not only holding up the turret with ease, but making the vessel itself inconceivably strong; and it may be added, that within this impregnable column are the turret-gear and the engines for turning it by steam-power.

We might go still further into details with regard to the turret and the method of putting it together. We might speak of the novel construction of the side-armor, and the extremely ingenious anchor-well, and the excellent ventilation.* But we pass to the general stern arrangements of the rudder and propeller. So perfect was this latter arrangement that Mr. E. J. Reed, the Chief Constructor of the British Navy, adopted it entire in the Bellerophon, with scarcely an alteration in detail. The consequence is that the Bellerophon is the only iron-clad in the British Navy which can be steered well. The others are all handled with great difficulty. As one illustration, on the trial trip of the Minotaur, it required at one time forty-eight men at the wheel and the tackles connected therewith.† The English authorities are very naturally delighted with the steering arrangement of the Bellerophon, as the reports of the press amply show.

Nothing, however, in this combination of inventions attracts more admiration than the daring novelty of constructing a vessel purposely so low in the water (for none of the monitors rise

* "It is gratifying to know that an examination of the sick reports, covering a period of over thirty months, shows that, so far from being unhealthy, there was less sickness on board the monitor vessels than in the same number of wooden ships with an equal number of men, and in similarly exposed positions. The exemption from sickness in the iron-clads is in some instances remarkable. There were on board the Saugus from November 25, 1864, to April 1, 1865, a period of over four months, but four cases of sickness (excluding accidental injuries), and of these two were diseases from which the patients had suffered for years. In the Montauk, for a period of one hundred and sixty-five days prior to May 29, 1865, there was but one case of disease on board. Other vessels exhibit equally remarkable results; and the conclusion is reached, that no wooden vessels in any squadron throughout the world can show an equal immunity from disease. The facts and tables presented are worthy of careful study." — Extract from the Report of the Secretary of the United States Navy to Congress, respecting the Health of the Fleet.

† See London Engineer.

more than eighteen inches above the water-level) that the waves may roll over her, and surrounding her with a projecting riband or belt of armor and backing. 1st. It prevents rolling, except through a very few degrees, by allowing the waves to flow over the deck instead of rising against a high side. This steadiness is assisted by the wing-like projections. While such iron-clads as the Warrior would be rolling their unprotected portions fairly out of water, and to such an extent that no accurate gunnery could be thought of, the Monadnock would ride almost motionless, and could aim her heavy guns with perfect ease. 2d. By reducing the area to be protected, it makes the thickness of armor (i. e. impregnability) the maximum. 3d. It reduces the target for the enemy to aim at to the minimum. The only marks are an iron-bound impenetrable strip of hull a few inches high, an impregnable turret, a smoke-pipe, and perhaps an air-trunk. 4th. It permits the iron armor to add to its enormous oak backing the entire thickness of the deck. This deck consists of enormous beams extending entirely across the vessel just above the level of the water-line, on which again is a layer of heavy beams covered with the iron deck-plating.

We have now examined, from a mechanical point of view, the two rival systems of iron-clad vessels. A brief comparison will illustrate their comparative merits. The Bellerophon is, beyond all comparison, the finest and most powerful broadside iron-clad ever built. Imagine her entire broadside (which will consist, if the Admiralty ever get the carriages to mount them, of five 10½-inch 12-ton guns) concentrated in two guns, mounted within a revolving cylinder of wrought-iron at least fifteen inches thick and absolutely impregnable. This tremendous ordnance is capable, as actual experiments demonstrate beyond the shadow of doubt, of at once smashing large holes through the thinly clad sides of any broadside vessel ever yet built, or which ever can be built. Yet it can be accurately aimed *directly ahead*, (in which, of course, it has an inestimable advantage over the broadside,) or to any point in the horizon, by the hand of a child, by mere pressure on a handle in the rear of each gun. Our revolving, impregnable cylinder, and its irresistible battery, are then put into a hull

just peering above the water, and offering no hopeful mark to an adversary. If one of his shot should strike it, it would strike a hull protected from end to end with ten and a half inches of wrought-iron armor, backed with three or four feet of oak, nay, with the entire deck itself. Those vital organs, the propeller and rudder, are as completely protected as the guns themselves. Such is the Dictator, and such the Dictator class of American monitors.

No possible doubt can exist as to the result of a tourney between the Dictator and the best broadside iron-clad yet constructed,—let us say the Bellerophon, the masterpiece of broadside iron-clads. Besides all the advantages already named, the former could take any desired position, and keep close under the stern or lap the sides of her antagonist for nearly seventy feet, over which whole distance the Bellerophon has no armor at all except at the water-line. The Bellerophon would not be able to bring a single gun to bear on her antagonist. Even if she could, it would require the utmost delicacy of accurate practice to hit the low line of the monitor; and if she were hit, it would be like blowing peas at an alligator. And all this, even, supposes a calm sea, when the broadside vessel would not roll. Meanwhile, from her impregnable turret, the Dictator would hurl projectiles which would riddle the unarmored parts of the Bellerophon like a sieve, and against which even her armor would be of no avail.*

The 15-inch guns, weighing nearly twenty tons, have now frequently been handled in actual battle in the monitor turret, and one word will suffice to show how completely any broadside vessel is at our mercy. In the experiments with the 15-inch smooth-bore, a solid shot, with sixty pounds of powder, hurled against the famous 6-inch solid French plate of Petin and Gaudet, completely perforated it. The verdict was, "Target completely penetrated and badly smashed." † But we do not stop here. The Puritan will be armed with a pair of 20-

* As the displacement of the Bellerophon is upwards of 7,000 tons, and that of the Dictator but little over 4,000, a simple calculation shows that, if the displacement of the latter should equal that of the former, the Dictator's entire side-armor would then be fully thirteen inches thick, and the turret upwards of twenty-four inches.

† Holley on Ordnance and Armor, p. 190.

inch guns, weighing nearly fifty tons each. These unprecedented and almost appalling guns can be worked in the monitor turret more easily by steam-power than Nelson worked his 24-pounders. The service charge of the 20-inch gun will be at least one hundred and thirty pounds of powder, and the shot weighs one thousand pounds. The motion of the vessel is never such as to render the gun unmanageable, while its armor completely protects it. This is the system which the wise men of England and France have contemptuously treated as "a practical mistake"!

The following table is prepared for the purpose of showing what the monitor system has produced, or is producing, for the United States.

Class and Number.	Tonnage.	Draught of water.	Thickness of armor.	Backing.	No. and thickness of turrets.	Number and size of guns.
		ft. in.	in.	in.	No. in.	No. in.
Passaic class (9), for harbor defence,	844	10 9	5	36*	1 11	2 15
Monadnock class (4), for coast defence,	1564	13 0	6	37*	2 10½	4 15
Kalamazoo class (4),	3200	18 0	14	40*	2 15	4 15†
Canonicus class (9), for coast defence,	1034	12 2	9½	28*	1 10½	2 15
Light draught class (20), built for special service in shallow rivers, &c.,	614	6 9	3	42*	1 8	2 11
Puritan,	3265	20 0	10½	48*	1 15	2 20
Dictator,	3033	20 6	10½	48*	1 15	2 15

The monitor is the complete aud positive solution of the great naval problem of the age. Since no further concentration of armor is possible, it has reached the maximum of impregnability. Since guns of any weight can be carried, handled like toys, and shielded in an impregnable turret, the aggressive power has reached the maximum which gunsmithery has yet accomplished. Since the Monadnock has exchanged salutes with the Moro, touched at Buenos Ayres, passed through Magellan Straits, and anchored off Valparaiso, and the Miantonomoh visited Halifax on her way to England, to say nothing of coast voyages for four years, — the cries against the "sea-going" qualities of the monitors may be considered over. In-

* Besides the entire width of deck. † 20-inch guns may be mounted.

deed, this monitor, being an invention radical in its nature and fortified by first principles, admits of no change.*

It may have been expected that, in our discussion of the mechanics of modern naval warfare, we should touch upon rams and torpedoes. Want of space must be our plea for failing to do so. However, it may in general be said, that the experience of our war has diminished the high hopes once entertained of the ram-power in warfare. Two conditions are indispensable to success. The first is an attack at high speed; the second, a concussion at right angles. Now, so much time is usually required in producing these two conditions, that, meanwhile, an alert antagonist is prepared to neutralize them. As to torpedoes, we believe they are destined to play a momentous part in the warfare of the future. Their power has hardly begun to be developed. We pause, however, with this declaration of belief, and do not descend to the depths of possible submarine warfare.

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* The qualities which seem to be indicated for a solution of the problem of a complete iron-clad are the maximum thickness of armor which can be had with the minimum displacement, together with the ability to handle guns of the most powerful description, to point them with facility directly ahead, or to any other point in the horizon, and, of course, to have them completely protected. In a word, the solution of the problem indicates concentration of both armor and battery, of offence and defence; and, other things being equal, the vessel which carries this concentration to the greatest extent will be relatively the most powerful. These indispensable conditions can only be satisfied by the Ericsson system; for, as Commodore Rodgers graphically expresses it, "The monitor has the least possible surface to be plated, and therefore takes the least possible tonnage to float armor of a given thickness, or, with a given tonnage, allows the greatest possible thickness, and consequently the greatest possible impenetrability. The ability to carry armor is proportionate to the tonnage; but the Monitor of 844 tons has actually thicker plating than the Ironsides of 3,480 tons, or than the Warrior of 6,000 tons; and yet the Ironsides and Warrior have only the middle portion of their hulls plated, their ends being without armor."

The following calculation will show the enormous dynamic power of a 20-inch shot moving at the velocity of 1,213 feet per second, which is the velocity given by only 100 pounds of powder. This velocity is acquired by a free fall through the height of 22,990 feet; this multiplied by 1,000 pounds, the weight of shot, gives a dynamic force of 22,990,000 foot-pounds. "Let us suppose an armor plate, eight inches thick, composed of iron possessing a tensile strength of 50,000 pounds to the square inch, to be struck by a 20-inch spherical shot — weight 1,000 pounds — with a velocity of 1,213 feet per second. The greatest amount of force needed to destroy the supposed plate, under any possible circumstances, will be that corresponding with the tensile strength of an iron bar, the cross-section of which represents equal to that of a cylinder eight inches long, multiplied by the circumference of a cylinder twenty

ART. VIII. — *The late English Poets.* Edited by RICHARD HENRY STODDARD. New York: Bruce and Huntington. 1865. 12mo.

THE analogy between national and individual careers has been so often recognized, that readers of a late American publication lifted their eyes at the author's claim, by right of discovery, to a philosophy based upon this likeness. To our mind the resemblance is so obvious, that we refer to it in the briefest terms, before reaching a comparison suggested by our theme. Periods of youth, maturity, and decay, with intermediate transition-stages, form the cyclic movement of every nation's history. Let this process be kept in mind while we consider that most enduring type and measure of popular condition, namely, the literature of a given epoch, and especially that department of literature which is most sensitive to each degree of change in the upward or downward gradation. The temper of an age is faithfully represented by its poetry, as no critical student has failed to discover.

Now the country whose round of being is thus most sharply defined to us was, unquestionably, Ancient Greece. She touched life at all points, and her imaginative literature clearly mirrors the successive phases of her career. As revealed through the lenses of modern investigation, her rise and splendor and final decline still remain our fullest paradigm of national existence, and of its inevitable, recurring law.

If we observe the progress of Grecian poetry, from the date of the first Olympiad to the absorption of the Græco-Egyptian empire by the Roman power, — which event occurred about the commencement of the Christian era, and closed the annals of eight centuries, — we find, overlooking minor changes,

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inches in diameter, which is 502.4 square inches. The *vis viva* of 20-inch shot having been shown to be equal to a force of 22,990,000 pounds acting through a space of twelve inches, it will be evident that to extinguish that force in a space of eight inches requires a constant resistance of 34,485,000 pounds, even on the supposition that the iron resists punching equally well through the whole eight inches, which, however, it will not do. But the tensile strength of a bar of 502.4 square inches' cross-section is only 50,000 pounds $\times$ 502.4 = 26,120,000 pounds; thus leaving a surplus force of 8,365,000 $\times \frac{2}{3}$ = 5,576,000 foot-pounds."

three grand divisions, separated by traceable though interblending lines. First in order is the Epic and Lyric Period, extending over three hundred years. It was due to the oral and traditionary forms of expression in that spring-time of Grecian song, that the majority of its productions were lost to succeeding generations, or exist only in fragments that tantalize us with a sense of music hushed forever. Nevertheless, this period, full of the warm blood of youth, was able to hand over to its inheritor the Greek language in mature health and purity, and such heroic and lyric compositions as no riper learning could equal. For the hexameters of Homer and Hesiod were saved, with melodious relics of Sappho, and stirring measures of Tyrtæan and Alcaic verse. The era culminated in the Odes of Anacreon and Pindar; and so came on the golden Attic Age, second of our divisional epochs, and one from whose vigorous beginning the advance of poetry was swift and assured. Its light burned high and luminous for little more than a century, but what a century it was! The drama, that richest product of objective art, united preceding forms in a new symmetry, and exhibited the Athenian genius in full strength and sweetness. It was the period of Æschylus, Sophocles, Euripides, and Aristophanes; of the Old, Middle, and New Comedy; and poetry was then in every way indicative of the summer glow that mellowed the time. In little more than a hundred years such bounteous harvests exhausted even that fertile soil. Then arose the Alexandrine school, and occupied the interval ending with the birth of Christ. During this epoch the Hellenic spirit grew elaborately feeble: what was once so easily creative became impotent, and at last entirely died away.

Study in vain endeavored to supply the force of nature. But if men of genius were few, men of tact and scholarship abounded. They traced out a formidable circle of acquirements, which it was necessary to possess before one could aspire to the title of an author. Verbal criticism was introduced. The productions of earlier writers afforded exhaustless ground for explanations, commentaries, and scholia. Researches were made into the Greek tongue; antique and quaint words were employed; philology now first arose, and criticism began to

hamper the imagination on every side. And thus, says Schoell in his History of Greek Literature: —

"In proportion as erudition extended her domain, and men began to reason about the principles of the beautiful, literature declined and taste was lost. . . . . The poets were deeply read, but *deficient in imagination* and often, also, in judgment. *They sought to hide these defects beneath singularity of idea and novelty and extravagance of expression;* while the bad taste of some *displayed itself in their choice of subjects* still more than in their manner of treating them. . . . . Though, in the midst of this general corruption, a small number remained faithful, in a great degree, to the ancient models, it was impossible for them to rise in all things above the influence of the age. That which distinguished them from others was a purity of diction, and a certain air of elegance characterizing their works."

We have taken a long run backwards, before leaping at our subject in front; yet, to serviceably illustrate that subject, could the space have been more fitly employed? The present era is as momentous as any in the past, and the quality of our English literature is of no less importance than that of any written in dead or living tongue. The analogy suggested by a reference to the decline of Hellenic poetry will seize the mind of careful observers of the modern English school. To draw an even parallel would be beyond our design. There is none between the two languages. The Greek was copious, but its specific element was simplicity, as distinguished from the redundant variety of our own; and its genius was so classical and exact, that a departure from the Attic purity was in itself a decadence of letters, involving obscurity and affectation rather than fuller expression of thought. The English, drawing treasures from all dialects of Northern and Southern Europe, adds to its vocabulary every means of uttering a new or delicate idea, and finds such increase a gain to the value of its literature. Moreover, at this stage of civilization, when the flame of progress, so often dimmed in the past, appears to burn continually brighter from year to year, it is doubtful whether, in any enlightened country or future epoch, it can flicker and finally go quite out, as did the fire of Grecian poetic art.

But when we come to the issue of supremacy in letters, or of creative additions to our poetry, the question seriously arises whether England has not indeed reached her Alexandrine age.

A review of Mr. Stoddard's selections from the late English poets will, of itself, almost impel one to an affirmative reply. The purpose of the editor is a faithful representation, not of Tennyson and the Brownings, "whose works are in the hands of all, and whose fame is fixed for the present, however it may fluctuate in the future, but of their younger brothers and sisters, to whom fame is not yet assured, although they have reputations of greater or lesser worth." All of these it has been his object to present at their best, so far as this could be accomplished in a single book, and no recent poet of tolerable standing has been omitted from the list. It is among these "minor poets" that one must look for the existing tendency. The great singers, lifted by imagination, make their style secondary to their thought; or, rather, the thought of each assumes for itself a correlative form of utterance. Younger or lesser contemporaries catch and reflect the fashion of these forms, even if they fail to infuse a soul beneath it. We have heard it acutely stated, that very great poets have never, after this process, founded schools, their art having been of inimitable loftiness or simplicity; but certainly no one of these excepted few is now flashing the unattainable before the clouded or despairing vision of the facile English throng. Our question, then, resolves itself in this wise: First, Does the usage of the day eschew gilded devices and meretricious effect? is it essentially simple, noble, enduring? Second, The spirit of later poetry, is it fresh and proud with life, buoyant in hope, and tuneful with the melody of an unwearied voice?

It is difficult to estimate our own time, so insensibly does the most impartial judgment ally itself with the graces and culture in vogue. With this advantage in behalf of the present English group, the verdict on these issues can hardly be in its favor. Look through the volume in question, and one's first thought is, how full this book is of poetry, or at least of poetical material. What refined sentiment! what artistic skill! what elaborate metrical successes! From beginning to end, how very readable, high-toned, close, and subtile in thought! Here and there, also, poems are to be found of the veritable caste,—simple, sensuous, passionate; but not so often as to give shape and color to the whole. The selection has been made by a

poet whose instinct has enabled him to surpass professional compilers, and to really fulfil a purpose to present his authors "at their best." With the same standard in view, he could not have culled such a garland from the minor poetry of any decade in the last century; or, indeed, from that of any interval later than the generation after Shakespeare, and earlier than the great revival, which numbered Burns, Wordsworth, Byron, and Keats among the leaders of an awakened chorus of natural English minstrelsy.

That revival, in its minor and major aspects, was truly glorious and inspiring. The poets who sustained it were led, through the disgust following a hundred years of false and flippant art, and by something of an intellectual process, to seek again that full and limpid fountain of Nature, to which the Elizabethan singers resorted intuitively for their draughts. But the unconscious vigor of the early period was quite as brave and immortal, to say the least, as its philosophical counterpart of our own century. Ah, those days of Elizabeth! of which Mrs. Browning said, in her exultant, womanly way, —

"Full were they of poets as the summer days are of birds, —

No branch on which a fine bird did not sit,
No bird but his sweet song did shrilly sing,
No song but did contayne a lovely dit.

We all know of the dramatists; but the lyric singers were yet more numerous, — there were singers in every class. Never since the first nightingale brake voice in Eden arose such a jubilee-concert: never before has such a crowd of true poets uttered true poetic speech in one day. . . . . Why, a common man, walking through the earth in those days, grew a poet by position."

There are volumes of the minor poetry of that unequalled time, whose every lyric seems fresh with dew and lit with sunrise. Its feeling was, we say, intellectually renewed — recovered by process aforethought — during the thirty years succeeding the French Revolution, and with varying impulses, and in the productions of foremost merit, has ever since been somewhat present with us.

But freshness, synthetical art, and sustained imaginative power do not seem endowments of the rising English poets. The impressed feeling of this collection is an unconscious conviction

of its writers that they were *born too late;* that, somehow, "the glory and the dream" of poesy have left our weary life for a long, long absence, and perhaps will never come again. The most thoughtful of them all seems deeply freighted with this sentiment, so far as his own country is concerned; and his prose and verse everywhere contain such passages as the following, copied from a lyric not in Mr. Stoddard's volume: —

"Who can see the green Earth any more
As she was by the sources of time?
Who imagine her fields as they lay
In the sunshine, unworn by the plough?
Who thinks as they thought,
The tribes who then lived in her breast,
Her vigorous, primitive sons?

"What bard
At the height of his vision, can dream
Of God, of the world, of the soul,
With a plainness as near,
As flashing, as Moses felt
When he lay in the night by his flock
On the starlit Arabian waste?
Can rise and obey
The beck of the spirit like him?

"And we say that Repose has fled
Forever the course of the River of Time," etc.

Thus sadly impressed, and believing it in vain to grasp at the skirts of the vanishing Muse, the perception and intellect of the worthiest among the present school have impelled them to substitute choice *simulacra*, which culture and artifice can produce, for the simplicity, sensuousness, and passion which the Miltonic canon declares to be the elements of true poetic art.

Matthew Arnold, from whom we have quoted, heads the list, and has perhaps made the most honorable efforts to throw off the morbific influence of the day, defining his endeavor in a well-known essay which prefaces the second edition of his verse. This fine poet and scholar, and lesser others of his cast, offer as an escape from heresies they justly deplore, and as their substitute for poetry of the natural kind, a recurrence to the antique and mediæval forms. Of these they have effected detached and carefully wrought studies, reproducing with great

verisimilitude what originally grew from the conceptions of the Grecian and Gothic minds. When John Keats chose his path in this direction, the thought was new, the method young again, and the result an original and exquisite production. He has been so industriously followed that our contemporaries, we say, accomplish little more than studies. A resort to the classic models is as healthful a substitute for the native poetry of an era as can easily be tendered, and to many the most welcome. As to the principles of beauty, the Greeks formulized them at will, and no later people have been able to reach beyond precepts involving the radical laws of art. Those who are drawn to the awe and mystery of the Gothic types, and the subtilties of modern analysis, acknowledge that the antique is in sympathy with the higher harmonies of nature, and will therefore never wholly pall. But eloquent reproductions cannot be accepted in the place of a nation's spontaneous song; and Arnold insists upon utter restriction to objective art, and, so far as may be, on the adoption of antique or mediæval themes. In this spirit he has composed his two most important poems. "Balder Dead," a sturdy, close-worded structure in blank-verse, seems to have been hewn out from an epic of the Norse mythology. Its actors are Odin, Thor, Hermod, and the rest of Valhalla's "dead hierarchy," and a noble gloom and grandeur undoubtedly distinguish the whole piece. After all, it is not sung, as were the measures of Homer, by one who believes in what he is singing. There is something absent, — "the glory and the dream"; it is marvellous workmanship, but is it anything more? Our compiler chooses, instead, that simpler and more human episode, "Sohrab and Rustum," based upon a Persian original, but so pervaded with imagination that we glow within us as we read it and admire that superiority which even in these studies reveals the master-hand. Arnold's irregular classical pieces are hardly successful, and in his lyrics he is apt to halt and stumble; while it is noticeable that compositions like "The Scholar Gypsy," in which he throws aside his theory and writes from the heart, commend him warmly to critical esteem. It is difficult to tell whether his acquirements have made or spoiled him as a poet. Perhaps the following stanzas more plainly define his opinion of the era than the lines already quoted: —

"But we, brought forth and reared in hours
Of change, alarm, surprise, —
What shelter to grow ripe is ours?
What leisure to grow wise?

"Too fast we live, too much are tried,
Too harassed, to attain
Wordsworth's sweet calm, or Goethe's wide
And luminous view to gain.

"And then we turn, thou sadder sage,
To thee: we feel thy spell.
The hopeless tangle of our age, —
Thou too hast scanned it well."

When such men as Arnold so yield to introspection and falter upon the march, it truly seems as if they were conscious of a mission too weighty for them to bear, — the task of subduing and spiritualizing what they deem an era of unparalleled materialism. The age is dull and mean, they cry;

"The time is out of joint: O cursed spite,
That ever I was born to set it right!"

And even as Hamlet, in action, was inferior to the lesser personages about him, they, as creative poets, fall behind the inspired, unconscious singers of a more congenial period.

Another admirable composition is Charles Kingsley's "Andromeda," — a poem laden with the Greek sensuousness, yet pure as crystal, and, to our ear, the best-sustained example of English hexameters yet produced. The writer repeats the error of his predecessors, in ignoring such quantities as do obtain in our prosody, and relying upon accent alone; but his fine ear and miraculous command of words keep him musical, interfluent, swift. We have, also, his "St. Maura," a mediæval study in blank-verse, somewhat after the manner of Browning. The influence of the latter poet is no less visible in Kingsley's drama of "The Saint's Tragedy," which does not fall within the scope of the volume before us. His true poetical faculty is expressed in various sounding lyrics, for which he is popularly known and beloved. These are new, brimful of music, and national to the core. "The Sands of Dee," "The Three Fishers," and "The Last Buccaneer," are in every way beautiful; not studies, but a genuine outgrowth of the strong and tender English heart.

Here we are brought to observe a suggestive fact. Excepting three of the latest aspirants, to whom we shall recur, those represented in this collection who seem to be poets born, not made, are by profession and reputation, first, writers of prose, secondly, poets. Their verses appear to be, as has been said of Humor, "Strength's rich superfluity." When they rise on poetic wings, it is as the desert-birds now and then lift themselves from the ground in the swift movement of their running flight. Matthew Arnold is a scholar and essayist, and an Oxford professor; Kingsley and Thackeray both might have been dramatic poets if born into the Elizabethan era, but have accepted the romance and novel as affording the most dramatic methods of the present day. Mr. Thornbury is better known in this country by his "Life in Spain, Past and Present," than as a writer of heroic ballads; but this condition must be reversed, if he composes other songs as fiery and rhythmical as the four reprinted by Mr. Stoddard. They pertain to revolutionary scenes of England, Scotland, and France, and are alive with unstudied lyrical power. "The Three Troopers," a ballad of the Protectorate, has a clash and clang not often resonant in these piping times: —

> "Into the Devil tavern
> Three booted troopers strode,
> From spur to feather spotted and splashed
> With the mud of a winter road.
> In each of their cups they dropped a crust,
> And stared at the guests with a frown;
> Then drew their swords and roared for a toast,
> God send this Crum-well-down!"

Nothing more forcible with idiomatic English than this whole ballad has been offered by the present school. Equally perfect of their sort are "The Mahogany-Tree," "The Ballad of Bouillabaise," "The Age of Wisdom," and "The End of the Play," — all by the kindly hand of William Makepeace Thackeray, which shall sweep the strings of melody no more; yet their author was only a satirist and novel-writer, never a professed poet.

The success of these unpretentious singers illustrates what we have indicated, but hitherto not directly claimed; namely,

that *spontaneity* is an essential principle of art. The poet should carol like the bird.

> "He knows not why nor whence he sings,
> Nor whither goes his warbled song;
> As Joy itself delights in joy,
> His soul finds strength in its employ,
> And grows by utterance strong."

Hence, the effusions of minstrels in the early heroic ages have been full of the elasticity of national youth. When verses were recited, not written, there were no pseudo-poets, because no one chanted unless impelled by a tuneful soul within, and a vile singer found no listeners of any class. In a more cultivated stage, poetic utterances should have all this unconscious freshness about them, refined and harmonized with the thought and finish of the day.

We find it, measurably, in the rhymes of William Allingham, whose "Mary Donnelly" and "The Fairies," quite different in purpose, have each that intuitive grace which we call *quality*, — an element which mere talent can never compensate for, nor any amount of artifice ever hope to produce. The gentle stanzas of Adelaide Procter are also spontaneous, as far as they go, but have little significance as part of the literature of the time. In selections from Professor Aytoun, we at least discover what wholesome and noteworthy ballad-verses may be composed by a man who is not a poet of first rank, but is of too honest breed to hide his deficiency by resorting to unwonted style and measures inconsonant with the English tongue. But the residue of these professional poets are of an opposite order. They follow the leaders of the new orchestra, or even imitate each other; a lack of judgment causes them to copy the heresies rather than the virtues of their masters; and it is painful to watch the devices by which they strive, sometimes with conscious intent, to hide the poverty of the period and the meagreness of their own imaginative stores.

The so called Spasmodic School affords a glaring instance of this knack of substitution. Its votaries, unable to comprehend the idea of synthesis, and mistaking *materia poetica* for poetry, aim at the formation of quotable passages, and cram their

verses with mixed and extavagant imagery, gushing diction, or that turbid mockery of passion which is hardly surface-deep. Philip James Bailey was an early and shocking example of this class, but the years have excluded him from our present anthology. Alexander Smith, however, seized Mr. Bailey's mantle and flaunted it bravely for a while. This poet has written of

"A poem round and perfect as a star,"

but has never made one, if he has the power. Those of his productions which attracted the easily, but not long, tricked public ear, were vicious in style, loose in thought, and devoid of real vigor or constructive grace. With the reading of maturer years he has acquired better taste, and now works after a more becoming purpose; so that his quiet lyrics in this collection, being marked by sins of omission only, may be rated as negatively good. Gerald Massey, another of these sky-rocket lights, made his sensation by cheap rhetoric, and the substitution of sentiment for feeling, in his championship of the working-classes from which he sprung. Sympathy for the cause gained his social verses a wide hearing; but his voice sounds to better advantage in lyrics of wedded love and other fireside themes, concerning which he is often sweetly emotional.

A Pre-Raphaelite treatment is affected by some of these writers, who carry it beyond conscientiousness into sectarianism, and, like the Chinese, divide the surface of Nature from her perspective, laying hold upon her body, but always evaded by her soul. Balzac, in "The Unknown Masterpiece," makes a teacher say to his pupil: "*The mission of art is not to copy Nature, but to express her.* You are not a vile copyist, but a poet! Take a cast from the hand of your mistress; place it before you; you will find it a horrible corpse without any resemblance, and you will be forced to resort to the chisel of an artist, who, without exactly copying it, will give you its movement and its life. We have to seize the spirit, the soul, the expression, of beings and things. . . . . Neither the poet, painter, nor sculptor should separate the effect from the cause; the two are inseparably bound together. This is the real difficulty; yet many, though ignorant of this object of art, succeed instinctively." Coventry Patmore, having never observed these truths, makes

verses which merely photograph life, and often in its poor and most commonplace forms. He thus degrades the aristocracy of art, which is never more eminent than in the choice of elevated themes. One had better hold a Claude Lorraine mirror up to life, than to reflect its every wrinkle in a sixpenny looking-glass, after the fashion of such lines as these: —

> "Restless, and sick of long exile
> From those sweet friends, I rode to see
> The church repairs; and, after a while
> Waylaying the Dean, was asked to tea.
> They introduced the Cousin Fred
> I'd heard of, Honor's favorite: grave,
> Dark, handsome, bluff, but gently bred,
> And with an air of the salt-wave.
> He stared, and gave his hand, and I
> Stared too," etc., etc.

This may be simplicity, but it is not the simplicity of Wordsworth in his better moods, nor of the Elizabethan writers, nor of him who was the simplest of all poets, yet the kingliest in manner and theme.

Sydney Dobell has the faults of both the spasmodic and realistic modes in excess, and few of the merits of either. Determined to gain a hearing, he intentionally pitches his notes on such a strident key that they pipe shrill and harsh through all the clamor of his fellow-bards. Occasionally, as in "How's my Boy?" he strikes a natural chord, but more often his measures and inversions are unpleasingly grotesque, while his sentiment is tame and his action entirely disregarded. Robert Bulwer Lytton, — what shall we say of the author of "The Wanderer" and "The Apple of Life"? The Bulwers are always a puzzle. Father and son are so remarkably clever, their cultured talent so nearly approaches the genius of other men, that we perforce admire their glittering and elaborate structures, though conscious of something false, hollow, or stuccoed in the walls, columns, and ceilings, and even suspicious of the floor on which we stand. "Owen Meredith" has the paternal adroitness, and adds a poetical ear to an unusual sympathy with modern excitements. The society-poem of the present day, with its sensuousness and cynical intellectualism, presents a later aspect of the sentimentality which

commended "Ernest Maltravers" and "Pelham" to the young men and women of the last generation. Owen Meredith's writings are filled with hot-house passion,—with the radiance, not of stars, but of chandeliers and stage-lights; and in their metaphysical speculations we see a weak reflection of the clearer Tennysonian thought. Indeed, this author, while he interests and amuses us, is a most unblushing imitator. His lyrics are a travesty of Robert Browning's dramatic stanzas; in his blank-verse he appropriates the breaks and cadences of Tennyson, and ventures on subjects which the Laureate was long known to have in hand. "The Parting of Lancelot and Guenevere" shows how neatly the younger has caught the trick of the elder poet. His return to a Greek model, in "Clytemnestra," falls short of the antique unity and passion, and is immeasurably below the "Agamemnon" of Æschylus, from which its better passages are almost literally taken. We are not versed in Oriental poetry, but suspect that his wanderings on its borders are merely forays in "fresh woods and pastures new." It is not to Owen Meredith that we look for signs of a coming poetical dawn.

William Morris, never a slovenly worker, gives us pieces which repay close reading, but also compel it, for they smack of the closet and library, rather than the world of men and women, or that of woods, waters, and hills. He too sings the deeds of Arthur and Lancelot, and the beauty of Guenevere; but the true mediæval purpose eludes him, and its place is supplied with the subtile intricacies of to-day. Frederick Tennyson treats out-door nature with painstaking and curious discernment, repeating every shadow; but the result is a pleasantly illuminated catalogue of scenic details. It is nature trimmed and cut down by a scientific landscape-gardener. Few late poets, however, have shown more refinement in verse-structure and skill in the management of English rhythm. This of itself is high praise, and an artistic motive runs through the five selections in this volume. Each of them is harmoniously finished, and not marred by the acrobatism of the spasmodic clique; and if their author could learn to generalize, his position would be enviable and secure.

Arthur Hugh Clough must have been a rare and lovable

spirit, else he could never have so twined himself within the heart-strings of the selectest thinkers of our time. Though he did much as a poet, it is doubtful whether his genius found anything like its full development during the brief lapse of years and under the circumstances in which he was permitted to live. His free temperament and radical way of thought, with a manly disdain of all factitious advancement, distinguished him even among the choice companions attached to his side; and he was valued quite as much for his character, and for what he was able to do, as for the things he actually accomplished.* There was nothing second-rate in his nature, and his "Bothie of Tober-na-Vuolich," though bearing the common reader less easily along than the billowy hexameters of Kingsley, is thoroughly faithful to its Highland theme, and has a Doric simplicity and strength. His shorter lyrics imperfectly represent the real felicity of his style. If he could have remained in the liberal American atmosphere, and had been spared his untimely taking off, he would have come to unquestioned greatness; but he is now no more, and with him departed a living protest against the truckling expedients of the mode.

Edwin Arnold is of so little account that association with his brother is all that includes him in our list. Charles Turner (one of the Tennyson brothers who, for some reason, has changed his name) is also utterly below the family standard. Of twelve sonnets composed by him, not one is in conformity with either the Italian or English requirements, or of any value as an addition to poetry. Dinah Maria Mulock has written many tender verses, somewhat akin to those of Miss Procter, and mostly of a natural and acceptable kind. Christina Rossetti demands closer attention. She is a poet of a profound and sombre cast, whose lips part with the breathings of a strong spirit within. She has no lack of matter to express. It is that expression wherein others are so adroit, which fails to serve

* Since this was written, Professor Arnold's monody on Clough, entitled "Thyrsis," has been printed from advance sheets, and is noticeable for its theme and as exhibiting the precise amount of aid which classicism can advantageously give the modern poet. In the latter respect it is somewhat opposed to its author's early theory. As a sustained, imaginative elegiac composition, nothing comparable with it has appeared since the "Adonais" of Shelley.

her purpose; but when, at last, she "beats her music out," it has mysterious and soul-felt meaning. She has unwittingly caught the real monastic feeling, and attuned it in unison with the aspirations of her own heart. But her light burns dimly and afar; and as poetry must appeal to the universal brotherhood, Miss Rossetti will never be numbered among the torch-bearers of the people.

The story and writings of poor David Gray — who lived just long enough to exhibit a sorrowful precocity and conceit — add another to the many examples of a sensitive temperament unsustained by adequate poetical power. We can do no more than mention the names of four rhymesters, of whose compositions Mr. Stoddard avails himself, and who do not seem to ameliorate the condition hitherto set forth. They are George Meredith (of some repute as a novelist), W. C. Bennett, Thomas Westwood, and Frederick Locker, — all of them among the least of minor poets; but the last named is so flippant and shallow that he almost serves as a foil to the other three.

It would seem, by recapitulation, that the characteristics of the present English school — distinguished from those of the Elizabethan period and of the revival which ushered in this century — were reflective, scholarly, metaphysical, rather than fruitful, spontaneous, and inspired, and pertaining more to elegant artifice than to the artistic presentment of truth. Its members possess much excellence of expression, but do not render this subordinate to what is to be expressed. The better class, vaguely conscious of this failing, and blind to the riches of our own time, resort to the past for their subjects, and in various ways endeavor to compromise for the absence of genuine imaginative song. Earnest writers perceive and deplore these tendencies. Ruskin, who now seems almost to despair of the frigid, decaying British taste, established a correct rule in the earliest volume of "Modern Painters," applying it to either of the fine arts.

"Art, with all its technicalities, difficulties, and particular ends, is nothing but a noble and expressive language, invaluable as the vehicle of thought, but by itself nothing. He who has learned what is commonly considered the whole art of painting, that is, the art of representing any natural object faithfully, *has as yet only learned the language by*

which his thoughts are to be expressed. He has done just as much toward being that which we ought to respect as a great painter, as a man who has learned how to express himself melodiously has towards being a great poet. . . . . Rhythm, melody, precision, and force are, in the words of the orator and poet, necessary to their greatness, but not the tests of their greatness. It is not by the mode of representing and saying, but by what is represented and said, that the respective greatness, either of the painter or the writer, is to be finally determined. . . . . It is not, however, always easy, either in painting or literature, to determine where the influence of language stops and where that of thought begins. Many thoughts are so dependent upon the language in which they are clothed, that they would lose half of their beauty if otherwise expressed. But the highest thoughts are least dependent upon language, and *the dignity of any composition, and praise to which it is entitled, are in exact proportion to its independency of language or expression.* A composition is indeed most perfect, when to such intrinsic dignity is added all that expression can do to attract and adorn; but in every case of superior excellence, all this becomes nothing."

Mr. Ruskin's own rhetorical gifts are so eminent, leading him often into word-painting for their display, that he pronounces decisively on this point, as one who does penance for his besetting sin. He might have added, that the highest thought, while least dependent upon language, naturally finds its appropriate vehicle of expression, though the latter does not always include the former. It is so with all the operations of nature. Thus a melodious voice is sometimes useless for the want of fineness of ear; yet we rarely meet the possessor of a delicate ear who has not a voice of tone and compass equivalent to his conceptions. There are plenty who have the *appreciative* ear, — who enjoy music to the surfeit; but if they have what professors mean by "ear," the inventive, or even the sharply distinctive genius for music, nature has generally determined that the vocal organs shall be of the same order. This has partially impressed the critic we have cited, as, in drawing a difference (which constantly occurs to the reader of these late English poets) between what is ornamental in language and what expressive, he goes on to say: "This distinction is peculiarly necessary in painting; for in the language of words it is nearly impossible for that which is not expressive to be beautiful, except by mere rhythm or melody, any sacrifice to which

is immediately stigmatized as error. Unfortunately, susceptible as many are to the transient effects of sound and color, rather than to the whole tone of a production, this stigma is not always pronounced; if it were, artists would learn a broader treatment." On the topic of synthetical design (while we are consulting authorities), let us quote from Mr. Arnold's Preface, to which we have before referred.

"I verily think the majority of critics do not in their hearts believe that there is such a thing as a total impression to be derived from a poem at all, or to be demanded from a poet: they think the term a commonplace of metaphysical criticism. They will permit the poet to select any action he pleases, and to suffer that action to go on at will, provided he gratifies them with occasional bursts of fine writing, and with a shower of isolated thoughts and images. . . . . What distinguishes the *artist* from the *amateur*, says Goethe, is *architectonikè* in the highest sense; that flower of execution which creates, forms, and constitutes: not the profoundness of single thoughts, not the richness of imagery, not the abundance of illustration. . . . . Two kinds of *dilettanti* there are in poetry — he who neglects the indispensable mechanical part, and thinks he has done enough if he shows spirituality of feeling; and he who seeks to arrive at poetry merely by mechanism, in which he can acquire an artisan's readiness, and is without soul and matter."

Judged by the test which requires soul, matter, and expression, all combined, how many of the poets whom we have as yet named give us cause to expect a speedy renewal of the grander imaginative epochs of English literature?

We discover a moderate relief to this unpromising picture, and in the location where it should naturally appear, to render more complete the parallel between the Alexandrine age and the existing British era. In the former period, while the mass of writers were enforcing attention to their eccentricities, or coldly imitating ancient models, a joyous group of idyllic poets arose in Syracuse, delighting their own and after generations with eclogues of pastoral and city life. Their verses were dialectic, but composed in that new Dorian which added to the majesty of Greece the softness of the balmy Sicilian isles; their refrains were original; their imagery was classically pure; and indeed all the remaining idyls of Theocritus and his companions have that beauty about them which is a joy forever. It is a curious symptom of the present English

school that its few successes have been achieved in the same department. Even the sustained and semi-heroic works of Tennyson have so much of the idyllic character that he has classed them accordingly; while his minor unrhymed poems are bucolics pure and simple, their sole divergence from the Syracusan type being that their personages talk and act like people of the nineteenth century, and not like ancient cowherds of the Mediterranean hills. The want of this distinction produced the artificial and worthless pastorals of Queen Anne's time. In Tennyson's lyrical poems, also, and in all the better lyrics of the day, the idyllic element prevails. They evolve the emotions of the people, dwellers in town and country, as to their every-day life, and not in those concentrated phases where passion reaches its tragic moods and the life of years is crowded into a day. In the same field we find the choicest productions, not only of the Laureate's followers, but of the few younger poets who show originality and give promise for the future.

Three of these we have thus far refrained from naming, but their deeds are fresh before us. The songs of Jean Ingelow are already a delight, wherever our language is spoken, to the young and old of high and low degree. They sprung up as suddenly and tunefully as skylarks from the daisy-spangled, hawthorn-bordered meadows of Old England, with a blitheness almost unknown since the dewy dawn of Marlowe and Jonson and Fletcher, and in their idyllic under-flights they move with the most pathetic currents of human life. Though her style is uneven, and she has added to her unusual knowledge of dialect much of the quaintness and mannerism in vogue, we think few lyrical triumphs impossible to the author of "The High Tide on the Coast of Lincolnshire" and "The Songs of Seven"; and we especially refer to her efforts as evincing that spontaneity which alone can inspire utterance of the enduring kind.

Another bird of promise is Robert Buchanan, who latterly seems to strengthen on the wing. When first trying his pinions, he accomplished feeble enough essays toward the classical manner, though his minor verses proved that he had something better within him. He has now forsworn various wrongful hab-

its, and entered upon a region quite his own. "The Legends of Inverburn" are genuine Scotch idyls, introducing us to scenes and language before almost unstudied, and charmingly touching and picturesque. They are interspersed with songs of fairy superstition, which are full of weird fancy and have the ballad ring. His town idyls do not affect us so favorably; but an honorable future is predicted for this poet, if he will hold himself in careful æsthetic restraint.

Last of all, a peculiar genius, in the person of Algernon Charles Swinburne, has flared upon the literary world, exhibiting veritable though as yet unsettled powers. This young man has great resources of culture and taste, besides redundant gifts of color, melody, and passion. We say that his purpose is unsettled; since, although his forces are equally original and at command in that classical reproduction, "Atalanta in Calydon," and in the fervid Gothic dialogues of "Chastelard," each of these widely read dramas seems to have something of youthful caprice behind it, and to have been sent forth in an experimental or impulsive mood, before its author had discerned and seriously undertaken the main business of his career. It may be that much of the immediate future of English poetry rests upon what he may yet elect to do; for so marked a character will not be unlikely to assume leadership, and draw after him a third part of the stars of the new firmament. Let him acquire an artistic purpose, and carry it manfully to the end.

We thus complete our roll of the late English poets, having omitted none of sufficient merit to gain the attention of a compiler. In this brief venture upon a field more wide than fertile, we have barely touched at various and disconnected points, saying little of what might be said, and that only in a suggestive way. The reader, following upon our hints, may scrutinize these opinions at his leisure.

He will decide for himself whether British poetry is to lose its supremacy with the loss of Tennyson, Arnold, and Browning; whether these are captains of an intermediate passage from the auspicious dawning of our century to a shadowy obscuration of its close, or if the present is the becalmed and flawy portion of a voyage shortly to be favored by new and

prosperous gales. In the former contingency we see no cause for dejection, — none for discouragement as to the coming poetry of the English tongue. For it seems to us as if the sterility we have deplored were symbolical of the over-ripeness of the historical and aged British nation. It is the afternoon lethargy and fatigue of a glorious day. Is it not the transition from that time when England was easily first in policy and action, to a period when she must acknowledge that the sceptre has departed from her hands, and relinquish her supremacy in the movement of the world? When she shall have accepted her new position, and have settled into the wisdom of elderly repose, her songs may be less eager, but will be far less perplexed and turbulent, and will savor of philosophy and tranquil thought. We have said that poetry is the counterpart of popular rank and spirit. No individual genius can resist the weight of national decline. Poets, like the mountain trout, take their colors from the streams in which they lie. We refuse to be discomfited by the condition observed in this review, because we derive from the new-born hope and liberty of our own country the prediction of a jubilant and measureless art-revival. Hitherto we have been children, guided by our elders, and taught to repeat lispingly their antiquated and timorous words; but we have attained majority through fire and blood, and are henceforth learning to unlearn. The day is not far distant, when the faith, enterprise, and patriotism now manifested over all the land will swell into floods of creative song. The most musical of England's younger poets — those on whom her hopes depend — are with us, and inscribe their works to the champions of freedom and equality in the European world. Thus our progress will have a reflex influence on the mother country; and to the land from which we inherit the wisdom of Shakespeare, the rapture of Milton, and Wordsworth's insight of natural things, we shall return songs that may animate a new-risen choir of her minstrels, thereafter content to follow melodiously where we shall be inspired to lead.

ART. IX. — *The Workman and the Franchise. Chapters from English History on the Representation and Education of the People.* By FREDERICK DENISON MAURICE, M. A. London and New York: Alexander Strahan. 1866. 8vo. pp. 244.

THE representation and education of the people, and what relations the House of Commons have borne in the past to the English people, are the questions which Mr. Maurice ponders in these lectures. No one could be better qualified for such a study, so far as sympathy with his subject and the heartiest devotion to the labor of regenerating the English working classes can avail. But Mr. Maurice is too much the clergyman, too little the scientific historian, to make his work of much value to any one who is not ready to accept his opinions from confidence in the excellence of his heart.

To decide *a priori* between political creeds, — to estimate the moral soundness of a watchword, party-cry, or political theory by the tests of sentiment, — this is to take part in history, to throw the weight of one's personal influence into the one or the other scale, but it is not to weigh history. However broadly philanthropic and disinterested our motives may be, we cannot thus gain an insight of those real causes, grand utilities, inevitable necessities, which the actors of history feel rather than understand, and which only the perspective of history can disclose to scientific analysis.

Writers like Mr. Maurice deal only with the external phenomena and the proximate causes of historical events, with the reasons which were calculated to stimulate or control zeal and heated passions, with the maxims which have served to concentrate the attention of confused understandings, and with the personal characters of historical agents. The causes which produced these, or gave them historical prominence, lie deeply obscured in the most difficult of the subjects with which scientific methods will have to deal in real history.

The survey which Mr. Maurice gives us of English political history, while it is too rapid and sketchy to present the dramatic interests of this grand movement, is too much in the style of ordinary histories to give us any clear ideas of the causes that

determined it. The principal thesis of the lectures is, that the word "people" has always meant in English politics, not the "fragments" which Caius Martius, in Shakespeare's Coriolanus sends to their homes, not the mere multitude, which has nothing but numbers, but the "organized" classes. Organization is, according to Mr. Maurice, the basis of the representation which has hitherto prevailed in the English political system. Manhood, it is true, is indirectly the ground of the right of representation, but it is not manhood displayed in the units. Individuals have a right to a voice in the government only as they and their fellows have the virtue, power, and manhood to organize themselves, and to become conscious of their true interests as a class. Mr. Maurice, therefore, so far as he favors the further extension of the suffrage at all, would limit it, not to classes arbitrarily determined by property qualifications, but to spontaneous organizations representing real interests, or to co-operative societies. The success of the English volunteer militia movement suggests to him the kind of organization to which he would be willing to extend the suffrage.

There is much significance in the general doctrine which Mr. Maurice sets forth, but not much, we think, in his special interpretations and application of it. Organization is a rather vague term. In one sense, no human society is unorganized. "Man is more political than any bee or ant." He is the political animal. What Mr. Maurice calls the "fragments" of society, the multitude which he thinks most dangerous to civil order, would, were they really unorganized, be in the aggregate the most inefficient of bodies. Each member, bent on his own individual aims, unconscious of co-operation, would be only one of the disorderly with whom the police have to deal. *Divide et impera* would be the method of dealing with them.

But such is not the character of the multitude from which the state has to guard itself, either by skilful legislation or by force. It is only so far as the multitude *is* organized, that it becomes at all formidable. This multitude has so often appeared in European politics to great disadvantage, has so often been the dupe of knaves or fools, that great folly and moral baseness have got to be associated with it. Mr. Maurice as-

cribes these qualities to the majority. He exclaims against conforming to the will of a majority, "So help me God, I do not mean to follow the will of a majority; I hope never to follow it, always to set it at naught." In the light of American politics we judge this character of baseness to be erroneously imputed to the majority as such. Not only the many who in England feel their unity and common cause in their misfortunes or wrongs, but any class of society, the lords, the knights of the shire, and the burgesses of the town, when similarly placed, have also exhibited folly and brutality, and have violated the public order to overthrow oppression or opposition. Why then has immorality been affixed to the multitude as an essential and permanent quality? It is because the many have nowhere, except in America, ever been allowed in an organized capacity to display any other traits. As a preacher, Mr. Maurice is, of course, predisposed to divide the world into good and bad, and classify mankind on ethical principles; and on no other ground can we account for his horror of a majority. He appears to think it impossible for the majority ever to be right and the minority wrong, else he would not have committed himself to a rule which in practice might easily involve him in the greatest immorality.

With such sentimentality is naturally associated an opposition to utilitarian ideas of morality; and, accordingly, our author goes on to say, "And for that expression about the 'greatest happiness of the greatest number.' I do not understand it. I have no measure of it. I cannot tell what happiness is, or how it is to be distributed among the greatest number, or how the greatest number is to be ascertained." If Mr. Maurice *could* do all this, if he could understand and measure and discover all that this maxim demands, he would surpass all the prophets and lawgivers whose instructions have blessed mankind. But it is obvious that he does not understand how the maxim is meant to be applied, for he adds, "If it could be put to the vote of the greatest number what they would have for happiness, I have no security that they would not decide for something profoundly low and swinish." This method of ascertaining the greatest good is not implied in the utilitarian's maxim; nor, on the other hand, is it the object of

democratic governments to consult the majority as an oracle. The will of the majority and the good of the majority are confounded neither by the democrat nor by the utilitarian. Would Mr. Maurice contend that the will and judgment of a monarch are always right? Of course not; but would he deny then, that, imperfect as it is, the monarch's legal exercise of his will and judgment is the best policy for the state? Majorities are only the monarchs of democracies, not their prophets.

The course of politics in America has been, on the whole, so much smoother than in Europe, real grievances and imperfections of government so much sooner remedied, and measures of reform so much more thoroughly and promptly tried, that political theories have had less opportunity to gain the character of moral or religious causes by a rankling repression in the moral consciousness. Governmental institutions have, therefore, gained with us more and more the character of expediences. Our revolutionary maxims are not held with such worshipful zeal that we cannot see in the course of our history the solid grounds of utility which have been the real though unseen motives of our political career.

That the actual causes of historical events should be sought for, not merely in the reasons assigned for them by the agents through whom they are brought to pass, or in the political creed which is given in justification of them as political measures, but should also be sought for in the special conditions and necessities by which the political society of the time finds itself constrained, is a proposition so obviously evident, when stated, that we do not conceive it to stand in need of any proof. Communities, like individuals, act from many motives, but assign as the reasons of their actions such considerations as are calculated to give dignity and moral weight to them.

It is natural and proper that motives should stand in our practical philosophies in the order of their moral dignity, whatever may be the order of their practical efficiency. Active benevolence is justly claimed, for example, as the motive of a beneficent action, though this may have been dependent also on some less dignified motive, — on some selfish impulse of temporary convenience. If, therefore, in history we seek for political causes in the conveniences and expediences of society, as well

as in its declarations of political principles, it is because the efficient causes of its action are not always or exclusively moral.

The more prominent or moral motives of political action assume a utilitarian character or a sentimental one, according as the action is in pursuance of conservative or of revolutionary measures. Revolutionary ethics always appeal to moral sentiment, and in the announcement of first principles are likely to put out of sight or to subordinate unduly the occasions which bring these principles to notice and secure for them the requisite attention. The discovery or the first clear appreciation of a principle of action is much more likely to be regarded as an inspiration, than as an historical effect of social antecedents; since it is by its force as a sentiment that a principle is efficacious at times when its force as a rule of expediency depends on the logic of events.

It is therefore only when a policy is in the course of a peaceful and normal development in human affairs that its foundation in the actual necessities and conveniences of society becomes prominent, or even distinctly apparent. In the storm of revolutionary passions, morality takes refuge in those sentiments to which religious and revolutionary ethics have ascribed the validity of its precepts. Utility becomes a mean consideration, and is impotent against the violence of passion; but its maxims are secured, in the absence of calm reason, by the force of moral feeling. Hence it is that revolutions bequeath maxims and first principles clothed in wit and eloquence, rather than in rational discussions or scientific explanations of political measures. In later times, in pursuance of these measures, men come to regard them more and more in the light of expedients, and to refer their validity and the conditions of their application to those exigencies of society which were their real though unseen origin.

The principle of universal suffrage, and the more general doctrines that the governed have a right to a voice in the administration of public affairs, and that just governments only exist by the consent of the governed, are maxims for which utilitarian reasons exist, though they are often regarded as first principles, sanctioned by a sense of justice or by enlightened moral sentiment. But those who regard them as fundamental

truths see clearly that they have never attained to that dignity in the practical workings of our political institutions. Any limitations of these principles, save by equally fundamental considerations of justice or necessity, are properly regarded as offences, if they have in truth the character which revolutionary ethics claim for them. Those who hold that the right of suffrage rests immediately on a moral basis urge consistently that the suffrage should be extended, not only to all male citizens, but also to women, and to whoever in fact is morally and mentally competent to exercise the function; and these theorists also appeal consistently to the professions of political faith with which our history and political documents abound. But if we waive the reasons assigned by our Revolutionary statesmen, and interpret their wisdom by their acts in relation to the exigencies of their times, we shall find in these a sufficient justification of the existing extension of the suffrage, and reasons also for its further extension, with proper limitations, without the necessity of admitting the doctrine which would condemn our present short-comings as moral offences.

The non-existence of a governing class sufficiently self-conscious and united, and sufficiently powerful in its command of the moral and physical forces necessary to keep in subjection other classes of society, is the condition either of social anarchy, or else of the intervention of that enlightened, public-spirited good-sense and capacity for self-government which our forefathers showed in their Colonial history.

This capacity for self-government in every class of citizens, and a command of the last resort, the war power, by small communities in their militia organizations, which were first required for self-defence against hostile neighbors in the border life of new settlements, and, more than all, the fact that few representatives of the governing class were among the earlier settlers, and soon lost whatever prestige they may have brought from the mother country, — these facts were the conditions which made democracy a feasible scheme of government in America. But these conditions were compelled to assume a new aspect when the Colonies began their quarrel with the mother country. The possibility of such a form of government, or even its actual existence, was powerless against the

moral force of prescriptive rights and long-sanctioned usages, when fairly brought in conflict with them. These conditions required a moral force sufficiently powerful to cope with the sentiments of loyalty and respect for the past. The *right* of self-government in every class of citizens, and the *right* to use the war power which they actually possessed, and, above all, the rightful equality of all citizens before the law, had to be asserted, not merely as desirable political results, which the Colonists had substantially realized, but as morally binding principles, to which all mankind owed obedience. And this was a fair issue; for so long as conservatism and prescription rely on sentiment, so long must revolutionists be prophets. To "Thus saith the law," the only answer is, "Thus saith the Lord." The divine right of the people exists so long as the divine right of kings has any power in the world. The utilitarian grounds by which both rights might be justified under their proper conditions, and by the philosophical historian, were not inspiring considerations, and required calmer thought than passion permits.

The success of the Colonists in arms secured the conditions of the existence of democracy in America, which had come to be regarded, however, by the dominant party with the feelings that the Revolution engendered, that is, in the light of moral principles. The demonstrated capacity for self-government in the American people was interpreted as a right to self-government in all classes of mankind; but this principle was not consistently carried out, as we have said. What was really pursued were the two ends, to abolish a governing class proper, or one whose interests could be opposed permanently and systematically to the interests of the governed, and to incorporate into the body politic every possible class whose interest might be dangerously opposed to good order and the stability of the government. American politics sought to shun two opposite dangers, — dangers to the governed from the supremacy of any class, and dangers to the government by the exclusion of any class which might have sufficient unity, self-conscious power, and independent interest to attempt the same kind of revolution which the Colonists had themselves sanctioned, and which other American republics have repeated without end.

This was not indeed the view which successful democracy took of its new responsibilities. It did not profess to aim at strengthening a government inherently weak by conciliating all possible hostile classes and disaffected subjects with participation in the government, nor to prevent political power from falling into the hands of a class whose just right to govern could be denied only on the ground of its inability to govern justly. This would have been to confess weakness and distrust, which, though real and efficient motives, were not so worthy or inspiring as those of the new political ethics. The right of mankind to self-government, though practically signifying only the right of white male adults to hold office and take part in elections, was a broad, positive moral ground of action; and, so far as applied, tended to the same results as the inferior motives. As a moral principle it was doubtless essential to the success of the great experiment, and was a far truer doctrine than the equally sentimental conservatism which it defeated. But the inferior motives were satisfied with the limits to the extension of the suffrage which have actually obtained, and which are in direct conflict with the higher principle. Honest and uncompromising believers in this principle are justly scandalized at the inconsistent disfranchisement of women in all our States, and of negroes in most of them. It has been a sufficient consideration, however, in practical American politics, that women, though a natural class, could never become a political one with distinct interests to be defended, or with a possible ability to defend them for themselves. Nay, it has hitherto been a sufficient consideration with the greater number of the United States, that the negro, though standing in urgent need of protection from the cupidity and prejudice of the white citizen, was unable to help himself or injure the state.

But while our people have thus disregarded the integrity of the maxims of their political creed, have they therefore acted wholly from selfish motives, and without reference to moral ends? Or is it not true, rather, that their faith in this creed has never been so entire and uncompromising as some political orators would have us believe? The peaceful and normal pursuit of politics tends, as we have said, to give to principles of

action more and more the character of rules of expediency; but it does not necessarily convert them into maxims of a narrow, short-sighted, or selfish expediency. Utilitarianism has its unselfish principles as well as sentimental ethics. The distinction is, that these principles are not rules or commandments or maxims of conduct. They are rather the objects which rules subserve and by which a maxim must be justified. The greatest good to the greatest number, or the greatest sum of human happiness, or by whatever phrase we seek to generalize these ends, are not rules of conduct, but tests of rules: they are not sources of moral maxims, but criterions of them. But utilitarianism does not forego the sanctions of moral sentiment. It removes the sanction from the rule or commandment to the reasons for them; and these reasons are not the more general principles from which practical maxims may be deduced, but are the ends, in various forms of human excellence, for the accomplishment of which the rule must be contrived, and with reference to which it may be altered or disregarded. In considering how far rules may thus be dealt with consistently with a sound morality, a source of great confusion in the discussions of moral philosophy should be noticed. This is in the fact that one of the greatest of human excellences is in the *having* rules of conduct, and in pursuing them steadfastly; this being the essential condition of the realization of any higher good. The twofold error has been committed by those who distrust the utilitarian spirit, of attributing to it an omission or denial of this excellence, and of assuming, in opposition to it, that morality consists essentially in what is only a condition of its realization, namely, in conscientiousness or fidelity to principles. Fidelity to bad principles makes one a "man of principle," no less than fidelity to good ones. This fidelity is not a source of enlightenment, but at best is only a condition of receiving enlightenment, and fidelity is the better condition in proportion as the ends which rules subserve are made its objects, rather than the rules themselves.

American politics have not ceased to aim at the benefit of mankind and the greatest good of the greatest number, however lamely these ends may have been pursued, and in spite of our want of faith in the political creed of the last century.

This creed is indeed a thing of the past, beyond recall, but with it political morality has not perished. This survives under a new and more enlightened form. The right to have a *good* government, and to secure to the machinery of government all the conditions necessary to this end, takes the place of the asserted fundamental right of *self*-government, except so far as this is seen to be one of these conditions. The value of self-government, when possible, is more truly appreciated now than ever before, since it is prized for what it is worth; namely, for that degree of good sense, public spirit, and self-restraint in any people which makes self-government possible, and thus makes it a means of educating the people to higher degrees of these good qualities.

It is upon such considerations as these that the question of the suffrage ought to be discussed, for it is upon such grounds that it must be decided.

Art. X. — CRITICAL NOTICES.

1. — *An Examination of Sir William Hamilton's Philosophy, and of the principal Philosophical Questions discussed in his Writings.* By John Stuart Mill. Boston: William V. Spencer. 1865. 2 vols. 12mo. pp. 330 and 354.

The value of this most searching examination of Sir William Hamilton's writings, and its enduring interest as a contribution to philosophy, separating it widely from the short-lived publications of the season, are sufficient apologies for calling our readers' attention to it at this late day. In one respect, indeed, the work is a very timely publication, and in this it exhibits a literary skill of no ordinary merit. The position and present reputation both of the author and his subject are such, that the mere announcement of the work was sufficient to inspire with the liveliest curiosity every student of philosophy.

The writings of Sir William Hamilton have been so long published, that they have had a fair chance to gain a hearing, and to gain such prepossession of thinking minds, that their critic was sure of an intelligent and deeply interested attention, if not of an unprejudiced one; and his criticisms are the more effective, since they are not obliged to inform the

reader for the first time of the issues in question. They fall upon very widely known and popular opinions, which the influence of Sir William Hamilton has organized into a school of considerable extent, both in Great Britain and America. The recent prominent position of Mr. Mill in the political world has doubtless drawn the attention of many to this work who were not acquainted with his previous philosophical writings and his position among British philosophers.

Rarely in the history of philosophy has so excellent an opportunity been so judiciously used. What will interest the reader most is, in fact, only incidental to the main object of the work, which is to define and justify the opinions of the school of philosophy usually accounted unorthodox, of which Mr. Mill is the principal adherent among living English thinkers. He has taken this occasion to develop his views on several fundamental questions in philosophy, which have only appeared incidentally in his previous works. "My subject," he says, "is not Sir William Hamilton, but the questions which Sir William Hamilton discussed." The reader will, however, retain most vividly the impression that the work is a masterly polemic against the opinions and the influence of the man whose acknowledged abilities as a teacher of philosophy have produced an erroneous impression of his powers as a thinker. In this his critic has wisely pursued a policy which is a secret of success in all controversies, as well in philosophy as in practical politics, — the policy of taking the offensive. On the critic's success in discrediting an acknowledged authority in philosophy rest, in great measure, the chances of his own opinions to gain a hearing; and they have the additional chance in such a mode of presentation, by challenging comparison, to gain a *fair* hearing.

Such a course was the more desirable, because the philosophy of Sir William Hamilton, while it retains most of the positions essential to orthodoxy, appears to adopt from the opponents of his school their strong points, and to reconcile them with the authorized religious or orthodox philosophy. The principal doctrine which Sir William Hamilton thus seems to adopt from his opponents is the doctrine of the relativity of human knowledge. This doctrine teaches that knowledge, even in its highest exercise, is only a cognizance of states of the mind, and that our faculties can recognize these only as effects on us, produced, we know not how, by powers we know not what, — that any other natures than such mental states cannot be cognized at all, or recognized as other than the unknowable, which we may suppose to exist, but cannot suppose to be in any manner comprehensible. Idealism and sensationalism both postulate this doctrine; and Sir William Hamilton, apparently adopting it also, attempts nevertheless to refute these philosophies. This at least appears to be the main issue of Mr. Mill's criticism.

It is certain that Hamilton adopts this doctrine to the extent of affirming that the known implies a something unknown, which is necessarily supposed as the ground of its reality, or as the unknown cause of the objects of knowledge; and he calls the knowable phenomenon an effect. The real difference between him and his critic appears to us to be, that, while both recognize the coexistence of a something known and a something unknown in every act of real knowledge, Mr. Mill, with the idealists, identifies this antithesis with the distinction of the ego and non-ego, the known effect being with him an effect on us by an unknown cause in the non-ego; while Hamilton does not regard the two distinctions as coextensive. That things in themselves as absolutely and necessarily existing or as uncaused cannot be known to us, is what we understand to be Hamilton's doctrine of the relativity of knowledge; but this does not signify, with him, that the objects of knowledge are effects *on us*. On the contrary, he regards the evidence of our immediate cognizance of a non-ego to be quite independent of this doctrine, and by no means inconsistent with it. With Hamilton, the relativity of knowledge does not decide the fact of an immediate knowledge of a non-ego in a phenomenal external world, but only determines the character of this knowledge, as a phenomenal one, relatively, not to the ego, but to the real existence of the external world itself.

The difference between Hamilton and Mr. Mill may be reduced, we conceive, to a difference in the meanings they attach to the word "phenomenon." With Hamilton it has an extended meaning; so that the phenomenal scarcely signifies more than that existence which necessarily implies some other, of which it is the manifestation, — some hidden existence necessarily inferred, though in itself unknown. But with Mr. Mill the word seems to signify more specifically a mental state, implying some cause which is not a mental state. The doctrine that all knowledge is only of phenomena will of course admit of two different interpretations, according to these two meanings of the word. With Mr. Mill's or the idealist's meaning of the word, it follows that an immediate knowledge of a non-ego is impossible. But if Hamilton's more extended use of the word be admissible, then an existence non-ego may be immediately cognizable consistently with the doctrine of the relativity of knowledge, provided this non-ego be phenomenal, that is, necessarily dependent on some other incognizable existence among the real causes of things. Whether Mr. Mill has failed to discover the precise significance of Hamilton's use of this word, or, regarding it as inadmissible, has chosen to hold him to the authentic meaning, does not appear. If the latter was the case, we conceive that the criticism might have been made more to the point. Mr. Mill takes issue, however, on what he conceives

to be an inconsistency between two portions of Hamilton's writings, — his theory of the perception of the primary qualities of matter in his notes to Reid, and his doctrine of the relativity of knowledge in his Lectures. This is the chief issue of the book; but if the meaning of the word "phenomenon" which we have attributed to Hamilton be a valid one, his philosophy escapes from this criticism by affirming that the primary qualities of matter, that is, the having extension, figure, etc., though not cognized as the effects of matter on us, are yet modes of existence implying an unknown substance, and are hence phenomenal in Hamilton's meaning of the word.

We think it would have been proper enough to object to Hamilton's description of these qualities as *effects*, in any other sense than as effects on us, — a description which confounds effects with attributes; but instead of discovering this confusion, Mr. Mill supposes that Hamilton meant to represent the primary qualities of matter as effects on us, while he inconsistently ascribed to them an existence independently of us. In the criticism on Hamilton's theory of causation, Mr. Mill does indeed discover a confusion corresponding to this, but he misinterprets it. In this theory Hamilton confounds cause with substance, in a manner analogous to his confounding effects with qualities; but while Mr. Mill has clearly pointed out the fact of this confusion, he has failed, we think, to discover its significance or its origin in the point of view of Hamilton's philosophy. Just as Hamilton extended the application of the word "phenomenon" beyond its use by the idealists, so did he with as little warning extend the word "cause" to denote, not merely one of the essential elements of an event, but also to mean any existence, whether known or unknown, without which neither a quality nor an event could be manifested. With Hamilton a cause signified more than the necessary antecedent of an event. It meant that which makes an antecedent necessary, and without which qualities neither appear nor change. While he denied that a cause in this sense could in itself be known, he maintained that, as implied in all phenomena, it is known as the unchangeable determinant of all changes, and as persisting through change and under all phenomena. The metaphorical phrases and the illustrations by which Hamilton set forth this view of causation, representing the constancy of cause by the law that an effect is equal to the sum of its causes, and that the sum of real existences in causation remains unchanged, are so far misinterpreted by Mr. Mill that he supposes not merely that Hamilton confounded cause with substance, but also the efficient cause with the material, or the cause of changes with the substance which is changed. On the contrary, Hamilton is far from confounding the existence which determines with that which is determined,

or the invariable attributes of the latter with the immutable substance of the former, or the physical law of the indestructibility of matter with the metaphysical law of immutable causes, — as Mr. Mill appears to think.

Perhaps in this case also Mr. Mill has chosen rather to hold his author to what he conceives to be an authentic use of terms, than to try to discover the consistent though metaphysical significations in which Hamilton used them. At any rate, in following the course he did, he has made Hamilton appear sufficiently contradictory and absurd, as if his aim were, as we have intimated, rather to discredit the authority of his author than to ascertain and criticise his real doctrines. Thus Mr. Mill says that,

"According to Sir William Hamilton, when we say that everything must have a cause, we mean that nothing begins to exist, but everything has always existed. I ask any one, either philosopher or common man, whether he does not mean the exact reverse; whether it is not because things do begin to exist, that a cause must be supposed for their existence. The very words in which the axiom of causation is commonly stated, and which our author in the first words of his exposition adopts, are, that everything which begins to exist must have a cause. Is it possible that this axiom can be grounded on the fact that we never suppose anything to begin to exist? Does not he who takes away a beginning of existence take away all causation and all need of a cause? Sir William Hamilton entirely mistakes what it is which causation is called in to explain."

We think, rather, that Mr. Mill has entirely mistaken what it is that Sir William Hamilton calls in for this explanation. His problem was to explain the beginnings, the persistence, and the endings of things as phenomena, or as they are known to us, and in their relations in their orders of necessary sequence. This Sir William Hamilton proposes to explain by the doctrine that things, not as phenomena, but in themselves and in their real existence, do not change; and he grounds this doctrine on his law of the conditioned, the really central and characteristic position of his philosophy. With this law, and not by its own merits, must Hamilton's doctrine of causation stand or fall. The unsoundness of this law, which Mr. Mill has sufficiently exposed, is in postulating judgments concerning what, by their very nature, cannot be the subjects of judgments, namely, things in themselves. But this will appear more clearly in what follows.

Mr. Mill's criticism of Hamilton's law of the conditioned, and of the methods followed by Hamilton and his school, are by far the most effective portions of the work. Kant had taught concerning things in themselves, that their existence in an intelligible world and the possi-

bility of an intuition of them as noumena, that is, independently of sensuous perception, could be held only as problematical. Such a possibility of knowledge could neither be asserted nor denied from the conditions of possible experience, and neither proved nor disproved from the data of intuition. Sir William Hamilton, holding substantially the same view of a knowledge of the absolute, but rejecting Kant's analysis of the conditions of experience, and his ideal affirmation of ontological beliefs, attempts by a profounder classification of possible realities to prove, while refuting the positions of the absolutists, that we may legitimately hold for true what we can neither conceive as possible nor know by intuition; for logic itself compels us, he thinks, to assert one of two contradictory propositions, and to deny the other, concerning things in themselves, each of which alone might be merely problematical. Hence he held that there are possibilities, neither proved by the capacities of thought nor by those of intuition, which can yet be held for true. These he called the Unconditioned. Those possibilities which experience and its conditions determine he called the Conditioned. The laws of logic, disclosing the limits of the conditioned, make known, according to Hamilton, the existence of the unconditioned, or that of which the possibility cannot be conceived. But how does logic disclose these limits? By showing that of two contradictories, neither of which is contained within the conditioned or the thinkable, one must be true, and hence that truth transcends the thinkable.

Mr. Mill elsewhere, and on wholly different grounds, also rejects conceivability as a test of possibility, and so far agrees with his author. He was, therefore, concerned only with this point of difference, namely, Hamilton's doctrine that, while truth may transcend the thinkable, belief may transcend it also. This he refutes, by showing that there is no validity in applying the laws of logic except to the thinkable. To the Unconditioned — to things in themselves — the laws of logic cannot be presumed to be applicable. Of phenomenal existences, it is true, the laws of logic cannot be denied; but the antinomies on which Hamilton's doctrine of the Conditioned is founded are propositions about things in themselves, or else they are propositions which are not really inconceivable. Infinite space or duration, for example, may mean that space or time, as known or conceived by us, is without bounds or determinate magnitude. This is perfectly intelligible, and the contradiction of it is conceived as false. But about space and time in themselves, what does infinity, or limitation, or even magnitude, signify? Instead of being, as Hamilton represents them, inconceivable predicates, they are known predicates affirmed of inconceivable subjects. It is not the predicate infinity which it is impossible to conceive, but, according

to Mr. Mill, it is space in itself, since this cannot be made the subject of any judgment.

The extreme inadequacy of our conception of infinite space as a phenomenon is virtually the ground on which Hamilton affirms the inconceivability of infinity as predicated of space in itself, or of any other existence, whether noumenon or phenomenon. This inadequacy amounts to impossibility, according to Hamilton; and he consequently affirms that the conception of infinity is simply the notion of the impossibility of conceiving a magnitude without bounds, — that such a conception is only the negation of conceivability itself as applied to magnitude. But Mr. Mill contends that an infinite magnitude, since it is conceived as one greater than any finite one, implies more than the mere negation of conceivability. It is only partially inconceivable. To say that an infinite magnitude is greater than any other is a positive statement, though we can say or think no more about it. It excludes all we can think definitely and adequately, but it does so in a determinate manner, namely, by affirming that the infinite is greater than the finite. It affirms the direction of the exclusion; and this notion of the infinite is *true*, as far as it goes, of the space and time known to us. In other words, we know that the space and time of our apprehension *exceed* any measurable or assignable magnitudes. But how do we know this? Simply because we have found no limits, — not because we cannot conceive of any. The impossibility of conceiving a limit to space is, according to Mr. Mill, a psychological consequence of our experiences of spaces, and proves nothing save by representing these experiences, which are the real sources of all our knowledge of space. The affirmation of infinity is then only a denial of limits to the space of our experience; and it cannot, therefore, be made about what is by hypothesis beyond our capacities of experience, or about space in itself. On the other hand, the denial of infinity is an affirmation of limits; and since this is not given in our experience of space, or in its possibilities as determined by capacities acquired through experience, it is not conceivable at all, either of phenomenal space or space in itself. Space in itself cannot, therefore, be conceived as either limited or unlimited, since the subject is inconceivable. And, on the other hand, space either in itself, or in relation to us and our experience of it, cannot be conceived as limited, since this predication is inconceivable. But if both the propositions are about space in itself, the necessity of admitting one and denying the other, or the impossibility of any third inconceivable supposition, rests on no evidence of experience or acquired limitation of thought, such limitations being already transcended in the subjects of the propositions.

Hamilton holds, of course, that the unconditioned, the subject of his antinomies, is inconceivable, but he denies, in common with nearly all philosophers, that the laws of logic are determined or limited by experience; and with these premises, his main argument is irrefragable. But of these premises the absolutists deny the former, and Mr. Mill the latter. Against these extremes, therefore, his argument is inconclusive, but it follows from the premises of Cousin and many other philosophers. But Mr. Mill not only objects to Hamilton's application of the ordinary rules of reasoning to propositions about things in themselves, but he joins, as we have seen, with the rest of Hamilton's critics in opposing his subsidiary arguments, or those for the inconceivability of infinity in general as affirmed of anything. Hamilton attempts, in these arguments, to establish contradiction between inconceivables by an appeal to phenomenal experience itself. He asserts of space, as we know it, that limits and the absence of limits are equally inconceivable, and he therefore attempts a proof of the existence of the unconditioned from the facts and laws of the conditioned itself. The fallacy of this attempt Mr. Mill has sufficiently exposed. Either space, as we know it, has limits or it has no limits. In rejecting, in accordance with experience, the first supposition, we both affirm and conceive the last; but in attempting to realize this fully, we find our faculties inadequate. This inadequacy of conception does not amount, however, to impossibility, unless we attempt to transcend space as we know it, and to conceive of an absolute space, about which nothing whatever is knowable or conceivable. But about this we cannot, then, legitimately appeal to phenomenal experience.

Incidental to his discussion of the law of the Conditioned, the interesting distinction of knowledge and belief, which Mr. Mill does not regard as an important one, is briefly criticised. According to him, knowledge and belief differ only in the degrees of their certainty, or else in the degree of the simplicity and directness of the evidence on which they rest. We fully agree with him in rejecting Hamilton's doctrine, that belief can rest on any other basis than one of knowledge; but we think it important to scrutinize more closely a distinction which has played so conspicuous a part in religious philosophy. While opinion, belief, and knowledge differ from each other in respect to the degrees of speculative certainty with which anything is held for true, yet these degrees are specifically distinguishable from each other in the philosophical uses of the words. There are, indeed, four distinguishable forms of holding for true, namely, opinion, belief, contingent knowledge, and perfect knowledge; though the limits between the second and third are not precisely fixed by usage. Perfect knowledge cannot be ques-

tioned. It admits of no possible doubt. Contingent knowledge admits of a possible doubt, though not of any actual one. Belief, though not consistently distinguished from the latter, may be limited to what might be questioned on grounds of evidence, though it is practically unquestionable through restraints imposed on our speculative faculties by our moral or practical nature. Such beliefs can be held with an equal degree of certainty with knowledge, though with a certainty of a different kind; being indubitable on account of the limits imposed by the conditions of emotion and the determinations of the will, and not on account of limits from conditions of experience. Such are religious beliefs, which, though inferior to knowledge in speculative certainty, may equal it in practical certainty. And, lastly, opinion is distinguishable from a low degree of simple belief, since it is free from either of these restraints, and admits both of speculative and moral doubts.

The importance of these distinctions comes from the philosophical doctrines they embody; namely, the two orthodox positions, that the difference between science and faith, and the difference between experiential or contingent, and perfect or *a priori* knowledge, are fundamental ones. Both these positions Mr. Mill rejects, and he departs from orthodox philosophy on the issue, that any beliefs can rightly be held, except on grounds of positive experience, or with a confidence which these do not warrant.

Next in importance and in the order of treatment to the criticisms we have noticed comes Mr. Mill's examination of Hamilton's methods and arguments in treating the various topics of phenomenal psychology. The meaning and authority of consciousness, and the rules for its interpretation, are discussed in a manner as much superior to anything which has preceded it on method in psychology, as the philosophy of the modern physical sciences is to the Physics of Aristotle. The fundamental problem of psychology is to determine which of our knowledges are ultimate and which can be supposed to be derivable by intelligible mental processes; and to discriminate these is the object of method in mental science. "The Introspective Method," by which Mr. Mill designates the method of Hamilton and his school, is a direct appeal to consciousness on this problem, regulated by certain precautions, by the use of which the philosopher is supposed to be superior to the vulgar. By the use of such precautions, Sir William Hamilton proposed to prove, against most philosophers, the vulgar opinion that the external world is an object of immediate perception; and he does this virtually on the ground that the opinion itself seems to a mature consciousness like an axiom, and that the supposition of its truth does not contradict any other fact of consciousness. This is the gist of Hamilton's

argument. As well might the analogous fundamental question of astronomy, Which moves, the earth or the heavens? be decided, in like manner, by an appeal to the senses.

This comparison suggests a remarkable resemblance between the methods of modern physical science and the "Psychological Method" which Mr. Mill opposes to such an appeal to consciousness. A common characteristic of them is to employ hypotheses, that is, verifiable hypotheses, in order to supplement the facts of observation before deciding upon such questions as the rotation of the earth, or the ultimate simplicity of a fact in consciousness. If the question of psychology had been to determine which of our knowledges are ultimate and which are derived by such mental processes as are cognizable in the *present operations* of consciousness, the Introspective Method would have been complete. But then a further question would require answer. Are there not present states of consciousness apparently simple, but really the results of past and long-forgotten mental processes? Have not, for example, our present ideas of externality and extension such an origin? Introspection of present consciousness cannot decide this; but this is the real question between Sir William Hamilton and the idealists as represented by Mr. Mill. Just as the analogous question of astronomy was decided against the vulgar in the Copernican system, so a really scientific application of the "Psychological Method" decides against the vulgar on this question; and as the dynamical laws of matter placed the Copernican system on a firm, irrefragable basis, so the mental laws of association are made the foundation of idealistic psychology. For if the ideas of externality and extension can be shown to be derivable, though not by present or remembered processes, yet by intelligible ones, they cannot be regarded as simple merely on the authority of present consciousness. The only limit to the application of the law of inseparable association as an hypothesis to explain the origin of ideas from simple feelings, must be in its inability to make this genesis distinctly intelligible; and here is the weak point of associational psychology, and one in which, with its present attainments, it fails to resemble the science of astronomy with which we have compared it. But Mr. Mill and Mr. Bain (whom he quotes on several points of interest) have done much to show how this failure may in future be remedied, when psychology shall have come out completely from that region of dogmatic metaphysics in which Sir William Hamilton leaves it, to become one in the sisterhood of the modern sciences.

Mr. Mill's criticisms of Hamilton's logical doctrines are not less fundamental than those on his metaphysics and psychology. Very few indeed of the opinions which are original or essential to Sir William Ham-

ilton find acceptance with his critic. But this is not surprising, when we see how fundamentally their philosophies differ. What will surprise the reader most are the numerous contradictions and inconsistencies in Hamilton's writings which his critic has pointed out. The principal of these we have tried to explain as arising from misinterpretations of his doctrines. There are enough remaining, however, to greatly impair his reputation, before unchallenged, for profundity and accuracy, and even for scholarship.

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2. — *Elements of Intellectual Philosophy.* By Rev. Joseph Alden, D. D., LL. D., late President of Jefferson College. New York: D. Appleton and Company. 1866. 12mo. pp. 292.

"In an experience of more than a quarter of a century as a college teacher, the author," as he tells us in his Preface, "found that he was successful just in proportion as he was elementary in his instructions"; and he adds, "If men become familiar with the alphabet of thinking, they are prepared for progress toward profoundness." But he does not tell us whether his success consisted in awakening a genuine interest in the problems of philosophy, or, as appears more probable from his book, in destroying all the attraction such problems have for the unwearied mind of youth. His book is indeed too elementary, — in fact chaotic, — altogether preliminary to any serious consideration of the problems of mental science. It goes over much ground, and professes to treat no topic exhaustively, but claims that "no topic has received superficial consideration."

One would naturally expect, from such a mode of treatment, that many questions would be raised for the future consideration of the pupil who was thus inducted into philosophy. But no. There are no questions left for his consideration. Everything is settled by short and easy methods. It is the author's intention, if this book is received with favor, "to prepare, for the benefit of those who have entered upon a course of philosophy under his guidance, a volume embracing additional topics and more extended investigations." This volume will illustrate, we suppose, the kind of "progress towards profoundness" which those who have had the benefit of the author's guidance might be expected to make. Until this appears, we cannot, of course, judge of it; but we gather from the present volume that it will settle some minor details, and allay some subsidiary questionings which a perverse ingenuity might raise, in spite of an elementary discipline in habits of dogmatizing.

The author's idea of philosophy has the merit of not being new or

original with him. It is a very old and respectable one indeed, and is associated with great reputations; but it is none the less, in our estimation, deserving of reprobation. It would appear from most standard works on mental philosophy, that the science of mind contemplates only the avoidance of dangerous opinions, and the establishment of sound and wholesome ones, — that the questions of philosophy are nuisances, which must be counteracted by those hygienic prescriptions commonly called the elements of mental philosophy. These elements are, in fact, certain dogmas, which owe their existence and importance to the fact that some minds have the insane or uncommon propensity, and sometimes the ingenuity, to transcend, in their inquiries about themselves, the bounds of common sense. Such elements are therefore laid down for the purpose of keeping thought within these bounds, and giving the *coup de grace* to impertinent problems.

So urgent does this practical side of mental philosophy appear to writers like our author, that they do not stop to inquire whether the problems they settle so summarily are really in contravention of an enlightened common sense: it is enough if they appear to be. And so it happens that mental science comes to consist, in these books, of such facts as the mind already knows about itself and its processes, or can easily ascertain by direct inquiry, but which have for their principle or for the ground of their pre-eminent importance in philosophy the very questions which they set aside. We may, therefore, define the mental philosophy treated of by our author, and many writers like him, to be the art of settling the questions of mental science in an easy and summary manner. This is the alphabet by which the pupil is to be "prepared for progress towards profoundness."

The author himself gives us no definition of his subject, but introduces it thus: —

"Numerous definitions of philosophy have been given. It would be of no advantage to repeat them. We have a field to explore. It is of comparatively little importance what name we give to the field, or to the process of exploration.

"A perfect definition of a science must include all that belongs to it, and exclude all that does not belong to it. It marks, therefore, the completion, not the commencement, of the science."

The first of these paragraphs identifies definition with naming, and the second identifies it with exposition; and between the two the author fails to give what is all that is required, sufficient directions about the "field" we have "to explore," and some notion of "the process of exploration." These he leaves, perhaps wisely, for the reader to gather. We do not conceive it to be very important to the reader to

be told beforehand what precisely the scope of a treatise is to be; but it is important that the author should know, and we can see no reasons why he could not, in this case, have made an intelligible statement of it, in place of confounding the names, definitions, and expositions of his subject all together in two short paragraphs.

It would be unfair to our author to suppose that he is original in treating mental science as having no problems but such as a perverse ingenuity has raised, and which a sound mind will answer by an immediate reference to what it already knows. This view of the matter has come down traditionally in the school of philosophy to which the author belongs. Traditional misrepresentations of the opinions of the opposite school, put in the form of questions which nobody ever seriously asked, are refuted by virtually showing that the questions are idle and foolish. These refutations, and the discussions and definitions of the terms in which the questions are stated, together with a simple classification of the mental powers, make up the matter of orthodox common-sense philosophy, as presented by Dr. Alden, following in the wake of Hamilton and McCosh.

We will begin our illustrations of this philosophy with the great central question of the cognition of objects external to the mind. On this our author says: —

"Some say we are conscious of the state of mind termed cognition or perception, and of nothing else. We see an external object. The seeing, cognizing, is confessedly a mental act. Of its existence, it is said, we are certain; but we are not certain of anything else. We are not certain that there is anything external corresponding to this state of mind, which alone is the object of consciousness. Thus we have no certainty of the existence of external objects.

"The error contained in the above statement consists in not taking the whole of the conscious state of mind into view. That of which we are conscious is this: we are conscious that we cognize the object. When we say we are conscious that we have a cognition, — a subjective state of mind, — we have not stated the whole truth. Our consciousness embraces the cognition of the object. We are as certain that we cognize the object, as we are that we have a mental state." — p. 34.

What a satisfactory state of certainty is this, which precludes, of course, the possibility of hallucination, or deception by our senses! But this, though personally convenient, is of little philosophical worth. It omits to take account of the only real philosophical question. This is not whether we have an adequate feeling of certainty in our judgments of external existence, but it is the scientific question, why this feeling can be opposed by a doubt, such as we cannot feel or entertain in regard to our judgments of the internal states of the mind. It is

enough for philosophy that a doubt can be entertained in the one case, though only arbitrarily, which cannot be entertained, even arbitrarily, in the other. This fundamental problem in philosophy our author entirely overlooks, or rather misinterprets, probably through the misrepresentations of it received from other writers. He appears to suppose that the doubt in question is one for the mind to decide upon as to its legitimacy; whereas this doubt, or the possibility of it, is a point to be explained as to its significance, since it lies at the foundation of the distinction between mental states and the existence of external objects.

Philosophy does not begin with a doubt for the purpose of testing its legitimacy; but upon recognizing the possibility of a doubt, its business is to study the significance or the grounds of this possibility. A possibility of doubt in regard to a judgment of externality is the one characteristic which all true philosophers allow as its distinguishing mark, however differently they may interpret the meaning of this mark in their theories of perception. The thorough-going idealist interprets its meaning to be, that there is no certainty, besides the mind's cognizance of its own states; but the interpretation of most philosophers is, that there is no *intuitive* certainty except of these states. Even Sir William Hamilton, so far from denying that the possibility of doubt is a discriminating mark of external cognition, has insisted more than any other philosopher on its importance; and he discriminates by means of it between the testimony of consciousness concerning the reality of an external world, and the certainty we have about our own mental states. But our author has removed all cause of contention among philosophers, not by criticising their solutions of this problem, but by sweeping away the problem itself.

The appeal to consciousness for what is ultimate in it is legitimate in philosophy only when made critically, that is, by such rational procedures as will enable us to distinguish between what is really simple and what is apparently so, like those effects of constant association which resemble ultimate elements of knowledge. Sir William Hamilton has laid down rules, though inadequate ones, for such criticism; and even Dr. McCosh, many of whose opinions our author adopts, proposes what may be regarded as tests for determining the ultimate facts of consciousness, which are, however, of little philosophical worth. But our author does not appear to be aware that any discussion is required in criticism of the natural dogmas of the undisciplined mind. He simply dismisses the real problems of philosophy, and adheres to the crude dogmas of common sense.

With the main problem, which we have noticed, he dismisses, of course, all the subsidiary ones. Thus he says: —

"Some philosophers have labored hard to discover how the idea of externality — of something external — is first acquired. It is acquired when the mind cognizes an external object. Whenever the mind cognizes an object out of the mind, it cognizes it as out of the mind. No one in cognizing a material object by means of sight or touch ever cognized it as a modification of his own mind, or as existing within his mind." — p. 35.

This is carrying common sense in philosophy to an extreme. We doubt if its most ardent advocates would claim much authority for its judgments on a question in philosophy, when it so far mistakes the purport of the question as to propose the complete realization of an idea as an explanation of its origin. Nobody ever questioned that the idea of externality is already acquired, when the mind discriminates from its own states any existence as an external object. But though "no one in cognizing a material object by means of sight or touch ever cognized it as a modification of his own mind," yet it is contended that the elements of which such cognition consists may, nay, must, at one time have been indistinguishable from mere mental states, and that they become what they are simply by their combinations and their relations to other mental states. "Suppose," says the author, "a person destitute of all the senses except hearing. Let a violin be sounded near him. What would be the effect on his mind? He would cognize a sound; and he would cognize it as external to his own mind." This would depend, we imagine, on his previous experience of sounds, — on whether they had generally occurred in connection with other and previous mental states, just as anger and fear do, — or had always arisen from bodily conditions, like hunger and thirst, — or, thirdly, had remained dissociated from any of these, and had generally occurred without any reference to them. These are the ways, we suppose, in which sensations get referred to their classes, and finally, in the development of perception, come to lose their importance as sensations or as pleasures and pains in their greater importance as the signs of external or foreign sources of other pleasures and pains. For the idea of externality involves the function of sensations as signs, either in their simplest state, or more commonly in combinations, in which they become inseparably associated; and their proper function as signs is to produce a state of expectation with reference to the things signified, without being themselves the objects of any expectation. A sign must occur inconsequently; else it is more properly called a cause or an antecedent merely. In being as a sign unexpected, the idea has the mark of externality in it; and by producing a state of expectation it possesses the mark of reality, and is thus the sign of an external reality.

The test of the idealist's sincerity which has been derisively pro-

posed, namely, that he should run against the objects in whose absolute existence he does not believe, and learn by the pain they will cause him the error of his creed, is indeed the very test the idealist allows of that external reality in which alone he does believe. For bodily pains and pleasures are real, — simply real; and their causes or antecedents, when known in perception, make this perception real also. Simple sensations are real, and so are invariable sequences, and hence a knowledge of their antecedents must be a real knowledge. If such cognitions, while happening in no constant relations to antecedent states of the mind, are yet found to have an order among themselves, the mind soon comes to apprehend this order in the course of experience under the form of the general laws and ideas of external nature. But what is the external object, and how is it distinguishable from the group of sensations which constitute the cognition of it? In most systems of idealistic philosophy, this object is regarded as an external something, of which the idea or the group of sensations is regarded as the sign. This we believe to be an inadequate account, since, so far as an idea is a sign at all in a cognition, it is the sign of the unknown cause, not of itself, but of other actual or possible sensations, the existence of which as pleasures or pains constitutes the reality and the efficiency of the cognition; and the general expectation of these sensations is our general sense of an external reality. The idea is not a sign of an external existence numerically distinct from itself and a counterpart of itself, but only a sign of the sources of those other mental states which as real pleasures and pains can be expected as concomitants or consequences of it. In this consists the difference between the occurrence of an idea in a real cognition, and its recurrence in the representations of memory or imagination. In the latter form the idea loses its real externality, since it is no longer the sign of real pleasures or pains, present or inferable as consequent upon it. The idea in this form is also in itself less distinct as a group of sensations, so that relative distinctness becomes a secondary mark of reality. But reality essentially consists in the connection of an idea with concomitant or consequent pleasures and pains. In dreams the secondary mark is present, though the essential one is absent, and this discrepancy is the source of the surprise which we often feel in dreams in not suffering the consequences which our apparent cognitions lead us to expect. There are thus two marks of reality in a real cognition, — distinctness and real significance; and there are two corresponding objects, — the mental one, or the cognition itself as a state of the mind, and the existence of the external source of what it really signifies or reveals. Of the first we are immediately conscious, and cannot doubt its existence, since it is presented in itself as a state of

the mind; but of the second object there may be a doubt, as in dreams or hallucinations.

The question of philosophy in regard to this doubt is not whether it is as legitimate in our waking moments as it is in our dreams; and our author answers no real question in philosophy by his assertion that "we are as certain that we cognize the object, as we are that we have a mental state." What he really does is to overlook one of the most indisputable facts which philosophy has to consider, namely, that there is a difference in respect to our capacity to doubt between the external and internal objects of cognitions.

The next problem which he proceeds to suppress is the more special question of the origin and ultimate elements of the ideas of extension and space. "We get the idea of externality through all our senses; but not in all cases the idea of extended externality. A distinction is to be made between externality extended and unextended." (p. 36.) This is the best that he has to say on this question. What follows in the next chapter, instead of being an explanation of the mode in which we get the idea of extended externality, or any account of the distinction between extended and unextended externality, is only an appeal to consciousness for facts which have no bearing on the subject. It is no explanation of the origin of the idea of extension to say, "that the mind cognizes extension and form by means of the eye, that is, cognizes extended and figured objects by means of the eye." (p. 38.) But this is all that the author offers in the way of positive science on the subject. He objects, on the flimsiest grounds, to the several attempts at explanation which have been made. To the doctrine "that we get the idea of extension and figure by the sense of touch, and that those ideas are, by association, transferred to our visual perceptions," he says: "So far is this from being clear, it is doubtful whether any accurate idea of figure could be gained by the sense of touch alone. Let one be blindfolded, and then let an object different from any object previously seen and handled be presented to the sense of touch, and he will form a very inaccurate idea of its figure." It is surprising that the author should have overlooked the accuracy with which the blind discriminate forms by touch; but tactual determinations of figures should not be confounded with their visual representations, and the author misrepresents the theory he is criticising if he supposes that the sense of touch was ever regarded as competent to give by itself anything like visual images to the mind, or to do more than inform the vision of the tactual significance of visual marks. The author appears to conclude, because an untrained touch alone is inadequate to take the place of trained vision in a blindfolded man, that therefore the touch could have been of no service in training the eye to produce visual images of extension.

On the more probable doctrine, that the notion of extension is the joint product of sight and touch, (including, we should add, muscular sensations,) the author cites the following argument: —

"Some admit that we can cognize extension by the eye, but deny that we can cognize figure, that is, solidity, length, breadth, and thickness. That we now acquire a knowledge of solidity by the eye is, it is said, the result of inference from our experience gained by the sense of touch. It is admitted that we seem to cognize solidity by means of sight, and, in reply, it is said that we seem to cognize distance by the sense of sight, whereas our cognition of distance is an inference or judgment."

To this the author replies, "Now we affirm that we do cognize distance by means of the eye." By which he means, of course, that the cognizance is by means of the eye *alone*, and that it is an immediate, simple, inexplicable act; else his statement would be an irrelevant and trifling one. He does not tell us, however, whether this immediacy is known on the authority of consciousness, or in some other way; but he obviously thinks that he has a right to affirm it, and that the burden of proof rests on those who deny it. For he says, "Those who deny this assume that in all our primary perceptions by sight all objects appear equally near"; and adds, "This is a mere assumption. Memory does not reveal to us our primary perceptions." There is so much of truth and significance in this last remark, that we are surprised that the author did not make a better use of it. It is, indeed, a mere assumption to assert that at any time, in the development of vision, objects should have appeared equally near; but as an assertion essential to the theory which the author is criticising, it is an assumption of his own. And the opposite assertion, that at all times, in the growth of our visual powers, objects must have appeared at unequal distances, is also a mere assumption, concerning which memory does not inform us. There is, indeed, a third alternative more probable than either, namely, that antecedently to our conjunct experiences of light and tactual and muscular sensations no notions of extension or even of externality were attached to them. There is no presumption, therefore, or burden of proof in the matter, and the author's dictum, "that we do cognize distance by means of the eye," is of no authority on the question. The only direct authority is in a memory which is silent on the subject, and hence the question is one for science and indirect inference to deal with. The facts of physiological and optical science, together with the psychological doctrines of association, are thus the real foundation of the doctrines which our author proposes to reject in his summary way by a dictum of consciousness.

That the eye by itself, that is, the optical apparatus and the retina,

independently of muscular sensations and movements and tactual perceptions, cannot give the means of discriminating what we do discriminate in vision, and cannot afford the ground for inferring relations of distance, or even externality, from the sensations of light, is a position in mental science which must be regarded as demonstrated. And we further believe that, with these auxiliary sensations, movements, and perceptions, all the mental phenomena of vision can be adequately accounted for. This is one of the problems of mental science. The following is the author's way of disposing of it: —

"It is asked, How, since the image on the retina is inverted, do we see objects upright? The reply is, we do see them upright. This we know. Why the physical conditions of perception are as they are, we do not know. A similar answer may be given to the question, why, when there is an image of the object in each eye, we see but one object. Some recent discoveries in optics reveal in a measure the connection between binocular vision and the cognition of form." — p. 39.

This reply, that "we do see objects upright," is in fact no answer at all to the question the author proposes. Who has ever doubted this? The question is not one of fact, but it is a demand for the explanation of a fact. Equally irrelevant is the remark, that "we do not know why the physical conditions of perception are as they are." The question is not one of final causes, but it is the scientific inquiry concerning the mode in which these physical conditions are conditions, in consequence of which, and not in spite of which, the perception is realized; and this explanation is not so very far to seek as the author appears to think. Indeed, the only difficulty in the problem comes from the mistake, often made, of supposing that the images on the retina are cognized in themselves as extended objects, instead of being simply, in their several and ultimate parts, the means of cognizing the parts of the real external and extended objects.

In the last sentence which we have quoted, the author intimates that science has done something towards solving the problem of binocular vision. Some account of this would have been to the point, but the author is content to assure his pupils that their confidence in the fact itself of vision cannot be improved or impaired by any explanation, since the fact of seeing a single upright object, though it be by means of two inverted images, rests on the infallible testimony of consciousness. What sort of ideas of a true mental science can such an assurance communicate? None, we think, but the erroneous ones, that science undertakes to explain a fact by disputing it, and that we ought therefore to be contented to affirm the fact without trying to explain it.

Such is the elementary instruction which the author has found to be

the most successful by an experience of a quarter of a century, and now thinks worthy to be presented to the public. Our illustrations of his method, though taken from his earlier chapters, are sufficiently characteristic of the whole work, and make it unnecessary for us to say more.

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3. — *Personal Reminiscences of the Life and Times of* GARDINER SPRING, *Pastor of the Brick Presbyterian Church, in the City of New York.* New York: Charles Scribner & Co. 1866. 2 vols. 12mo.

WITH the name of the Rev. Dr. Spring, as a prominent clergyman in the city of New York, the public has long been familiar. Few need be told that he is a man of decided ability and of great industry, that he has ever been strenuous in the assertion and defence of his Calvinistic faith, and that, for a full half-century, he was the active, influential pastor of the same people. This venerable man, now more than eighty years old, has just put out an autobiography. Released by age from the duty of composing homilies, the habit and love of work have driven him into memoir-writing. He *must* be doing something, and hence the "Life and Times of Gardiner Spring."

There is much in this work, however, which belongs strictly neither to the "Life" nor the "Times," — a deal of matter equally irrelevant and cumbrous. For the benefit of those whose time is precious and whose patience is limited, we will attempt a reduction to miniature form of this life-size portrait, with its extensive background and numerous side-figures.

Gardiner Spring was born (1784) at Newburyport in Massachusetts. Samuel Spring, his father, was a Congregational minister, — a man of firm purpose and unbending will, — one of the last specimens of the stern old Puritan clergyman. He had been the chum of James Madison at Nassau Hall, and he was Colonel Burr's chaplain on that winter expedition through the woods of Maine which ended so disastrously under the walls of Quebec. We have here two letters from the college classmate. One of these, written after Madison became President, and in answer to Spring, indicates that the latter was in those days what we now call a Copperhead, while his illustrious Southern friend was strictly Union and loyal. This letter of President Madison is full of sound doctrine for North and South, and may even now be read with profit. Samuel Spring was in early years a warm admirer of Burr, and, even after his sad fall as traitor and murderer, used to say that, when *he* knew him, "Aaron was an immaculate creature." Their interview in

old age, at the parsonage in Beekman Street, with Lyman Beecher and Nathaniel Taylor for auditors, must have been full of interest. In his religious belief Samuel Spring was a Hopkinsian of the highest tone and style. Regarding the establishment and diffusion of that system as the greatest blessing that could be conferred on a fallen world, he devoted to it all his energies. For this he became an efficient founder of the Andover School, tying it up with catechisms, creeds, and subscriptions, until he deemed it safely moored for all time against the waves and winds of false doctrine. For our own part, we consider every such attempt to mould and fix the special opinions of posterity to be as wrong in principle and tendency as it is futile in fact. The founders of that institution were good men; they meant well, and actually *did* much better than they *knew*. If there have been (as sometimes alleged) any doctrinal defection in their beloved "Seminary," let us hope that Spring and Morse and Norris and Abbot and Brown and Bartlett are happily ignorant of its existence, or else that, seeing more clearly than of old, they would now gladly strike hands with Professor Park himself.

Young Gardiner, from his own account (though he gives us no details), was a very bad boy. In Berwick Academy, in the town school at home under Gillet and Walsh, and in Northbridge under funny Doctor Crane, he was fitted for college, and entered Yale in 1799. After the loss of a year through ill health, he graduated, in 1805, with valedictorian honors. Having adopted the law as his profession, he entered the office of David Daggett in New Haven, and went earnestly to work. To pay the way, he hired a little money, took the lead of Moses Stuart's church choir, and taught a large singing-school. About the same time he fell in love with Susan Barney. This circumstance may have had something to do with his acceptance of an invitation to go as teacher to the island of Bermuda. Here, at a place called "The Salt Kettle," he found lucrative employment and a pleasant home. But he could not enjoy it alone. So back he hies to New Haven, and persuades Susan to go with him into the "Kettle." Here, amid the geranium-beds and rose-bowers of the "still vexed Bermoothes," they passed a happy year, and would have stayed longer, but war came and threatened to make them its prisoners. They returned, therefore, to New Haven, with fifteen hundred dollars in pocket, and with one little "Porgie," whom they called Samuel. Mr. Spring resumed and completed his course of law-study, and opened a law-office. He began with every omen that cheers the young lawyer. To large ambition and acquisitiveness he added ample talent and untiring industry. Had he continued at the bar, he would have risen to its highest honors and rewards; but he had been trained

to regard the pulpit as having higher claims than any secular calling. Doubts as to his religious fitness for the sacred work had alone kept him back. These, however, were now resolved. Friends high in position and in his esteem urged him to make the change, and he resolved to make it. How he went to work, — how he broke the matter to worldly Susan Barney, — how sweetly Susan took it, — how he spent his short novitiate at Andover, his family staying meanwhile at Salem with rich Mrs. Norris, — his preaching in Marblehead, with reminiscences of good Mrs. William Read and her daughter, Mrs. Ropes, — his calls to the South Parish in Andover and to Park Street Church in Boston, declined because they were not unanimous; — all these things and more may be found in the "Life and Times." He went to New Haven, and was offered a call as successor to Moses Stuart, but said, "No." Then in New York he preached a single day in the Brick Church, and received a unanimous call. Evidently he came forward at once as a man of promise and power.

The presbytery, after much debate, and not without misgivings, concluded to ordain him. His statement of doctrines was not entirely satisfactory. Still they thought he was a pliable youth, and would come out right in time, even though Stiles Ely, who had known Spring in college, assured them that he was anything *but* pliable. When thus settled, the young man addresses himself with ardor to the great work which is to employ his life. He rises early, — doubles, in his ante-breakfast walk, the forks of the Bowery, — and by or before nine o'clock is buried in the seclusion of his own room. There it was study, study, study. Preparation the most sedulous could alone satisfy his high ideal of ministerial duty. To this end he read, for this he wrote. The better to understand and to defend the truth, he made himself familiar not with orthodox theology alone. The great errorists also received his careful attention. In this class he places Whitby, Locke, Priestley, Adam Clarke, the Unitarian divines of New England, and Dr. Taylor of New Haven. As symbols he cordially adopted the Westminster and Heidelberg Confessions. For expositors he clung to Henry, Scott, Hodge, and Doddridge. His pulpit models were Samuel Davis, Nathaniel Emmons, Edward Griffin, Asahel Nettleton, Edward Payson, John Howe, and Thomas Chalmers. He includes Emmons, not as free from error, but as having "more truth than any writer whose works have fallen under" his "notice."

Young clergymen will read with interest what this veteran preacher says of the objects which he has kept steadily in view, and of the methods by which he endeavored, not in vain, to secure those objects. In the pulpit his delivery was generally from written notes. Elsewhere

it was his wont to extemporize, that is (as he explains it), to make use of matter already stored up for the purpose. To convert sinners, rather than to comfort saints, has been his predominant aim. He could dwell most easily on alarming themes, inasmuch as these were more consonant with his own experience. He thinks that *good* preaching on subjects that are winning and consoling is not only very rare, but very difficult, and confesses that this fact has sometimes alarmed him. Well it might.

The aged Doctor, listening to the pulpit of our day, perceives signs of declension. He has heard sermons not a few "in which there was no want of instruction." "They were full of solid truths; great pains were taken with metaphor and illustration," to show the preacher's scientific attainments; but the great end, the salvation of the soul, was lost sight of.

Mr. Spring had not been long settled before indications of serious trouble made their appearance in the Presbyterian host. His old chum, Ezra Stiles Ely, had been preparing a shell of explosive matter, and threw it into the midst of the camp. In a book which he called "The Contrast," he professed to show what were the points of difference between the Hopkinsians and the Calvinists. This inflammable missile, which certainly made a good deal of noise, was aimed especially at the young pastor of the Brick Church. There was a general sense of danger, a wide-spread feeling of alarm. To a majority, probably, of his ministerial brothers, the new-fangled doctrine from New England was an abomination and a terror. To "The Contrast" Mr. Spring made no reply. He regarded it as a perverted, one-sided statement, "utterly destitute of candor and honesty." Having never adopted the peculiarities of Hopkinsianism, he felt under no obligation to defend them. So he left it for others to dispute and to discuss, and for a while the war raged. Of this conflict, which excited so wide an interest at the time, the Doctor gives no details. How could he leave unmentioned the far-famed "Triangle" of his friend Whelpley? Meanwhile, as he informs us, he went on with his own work, — preaching more plainly, pointedly, and pungently than ever. This stirred up opposition; but he persevered, and felt that his action had received the highest possible sanction when multitudes were awakened and converted under his ministry.

Dr. Spring dwells with special delight on the different seasons of refreshing which his church and congregation enjoyed. To those revivals he ascribes all the prosperity of the Brick Church, — all his own power and success as a preacher. These were the sheet-anchors which moored and held him fast, and but for which he would have been moving from place to place, a poor, "*sticket*" minister."

In 1827, Dr. Spring was on board the Oliver Ellsworth when an explosion caused the death of his friend Stephen Lockwood. The circumstances were remarkable, and the Reverend Doctor might well regard his own escape as "a mysterious providence." When the cholera first appeared in New York, in the summer of 1831, the Doctor nobly resolved to stay with and to stand by his flock. He kept his family with him, saw much of the grim visitant, and, though constantly exposed, passed the terrible ordeal unharmed.

Dr. Spring has visited Europe more than once. His first trip, in 1822, was very brief. He saw a little of London, a little of Paris, and seems to have been disgusted, rather than delighted. In 1835, he went again, and this time as a delegate from the American Presbyterians to the English Congregationalists. He was also empowered to carry greetings from the American Bible Society to its sisters in London and Paris. Thus accredited, he determined to address the French Society in the French tongue. He knew nothing of the language, and he had but three months for the acquisition. To most men at his age such a task would have presented insuperable difficulties. He put himself under tuition, and at the end of the quarter could read, write, and speak the language with ease and correctness. When the time came, he addressed in French a Parisian audience, "without mistake and without embarrassment"! We shall not follow the Doctor over the customary and familiar route of European travel. We cannot, however, leave unnoticed the following statement of an incident at Rouen in France: —

"A little circumstance occurred here that was somewhat amusing. Mr. Van Rensselaer, in order to procure some relic of the place, instead of gathering some flowers, broke off the *nose* of one of the marble saints! He hoped to escape the detection of the guide, but unfortunately, on leaving the Cathedral, we had to pass the mutilated statue, and were charged with the sacrilege. It was a lady saint whose sanctity our gallantry had thus violated, and we had to meet the most terrific volleys of abuse. A few glittering coins, however, obtained absolution for us, but neither entreaty nor cash could procure *the nose*."

There is some difference between that grand old edifice which has stood for centuries on the banks of the Seine, and the trim box on Murray Hill known as the Brick Church, with its Fifth Avenue adornments, painting, gilding, and upholstery. If in either structure a visitor could forget that respect which should always be accorded to places consecrated to God and dear to his worshippers, such indecency would certainly appear less strange in the latter than in the former. Let us suppose (though it is hardly supposable) that a party of French people, happening to be in New York, are led by curiosity to look at

the Doctor's nice church; and, wishing to carry away some memento of the place, pocket a hymn-book, or sever a few tassels from the cushioned pulpit, or slyly detach from a Corinthian capital one of its acanthus-leaves. Will the Reverend Doctor tell us in what point of propriety or morality the *supposed* transaction differs from the *actual* transaction? In such a case would he not have felt insulted by the proffer of a "few glittering coins" as satisfaction for the sacrilegious larceny? Would he have seen anything *amusing* in such an incident? No right-thinking person can have any other opinion of Mr. Van Rensselaer's conduct than that it was ungrateful, barbarous, dishonest, and disgraceful. And must we not regard his clerical companion, who acquiesced in the attempt, and who now relates it as a funny affair, and without a disapproving word, as being clearly *particeps criminis?*

In the uniform, uninterrupted course of his life and ministry, for many years past, the venerable reminiscent finds very little of actual event, or of variety, to insert in his memoir. He has been connected with many religious and benevolent associations, and has, no doubt, done his part as founder or associate to make them effective and useful. But while his labors in this line are entitled to a distinct mention in a record of his life, the long and minute accounts which he has given of those societies and their doings are quite out of place. Ten pages would have been enough, and we have more than a hundred.

In that famous contest of doctrine and polity which finally rent the Presbyterian Church in twain, Dr. Spring adhered to the Old School side. And yet the Rescinding Acts, which were the immediate cause of the separation, did not receive his approval. While we could not expect a man of the Doctor's faith to join the New School body, we are glad to perceive that he feels kindly toward them.

He gives us two chapters on the Southern Rebellion. On this great theme the Doctor's utterances are sound and patriotic. During the uneasy years which preceded the grand outbreak, Dr. Spring had been known as a stanch conservative. By reformers of the radical type he was often denounced as timid, timeserving, and pro-slavery, — how undeservedly the result showed when at last the true test and trial came.

Of matters merely personal, little more remains to be gathered from these pages. A few years since, the Doctor became blind, or nearly so; but though obliged to give up his written notes, he did not stop preaching. From this affliction he was relieved by a surgical operation. In 1856, the Brick Church on Beekman Street, or rather its ground-lease, was sold for a large sum, and the society proceeded to erect their present edifice on Murray Hill. In 1860, this society com-

memorated with special ceremonial the fiftieth anniversary of the Doctor's pastorate. It took a volume of three hundred pages to give the doings and sayings of that occasion. Two months before this celebration, Dr. Spring lost his wife. Of this woman — his early love, and the mother of his fifteen children — he has a good deal to say. She must have been a pleasing person; but not quite equal, perhaps, to Lyman Beecher's naive and charming Roxana, though well suited, we imagine, to the grave and dignified pastor of the Brick Church. The good Doctor mourned for her very much, and married again as soon as the year was out. The curious public will be pleased to know that the present Mrs. Spring has an ample property in her own right, and that she regularly pays her part of the butcher's and grocer's bills.

Among other peculiarities of the memoir before us, its author has introduced extracts from his private journal. So far as these are a statement of daily occurrences, or comments on those occurrences, it is all well enough. But is it not something new for a man to put in print those entries of emotional and inner experience which he is supposed to make solely for his own edification? Records of this sort have, indeed, often been published after the death of the person who made them. But to such publication it is, not without reason, objected, that diaries of this sort have little interest or value unless we can believe them to have been perfectly honest confessions, penned in the assurance that no eye but the writer's would ever rest on them. If the idea that a man, when recording what he has breathed rather than uttered in the sacred confessional of his soul, has been influenced ever so little by an expectation that it may be read when he shall have passed away, — if this suspicion is sufficient to vitiate it as a perfectly truthful, honest utterance, — what shall be said of him who, while yet alive, parades *his* confessions before the whole world? Verily, that "co-presbyter" who advised our venerable Doctor to put his entire diary into the "Life and Times" must be a very weak brother or a very wicked wag.

Dr. Spring has no patience with the "New Haven theology." Indeed, we have already seen that he places Nathaniel Taylor among the great heresiarchs, writing his name in the same list with Whitby and Priestley and Channing. He devotes an entire chapter to the exposure and denunciation of this dangerous heresy, giving us (into the bargain) a long letter from one Henry Sewall, whom he calls a profound theologian, but whose claim to that high praise must rest on other ground than this epistle. The men who are thus assailed count in clergymen by hundreds and in laymen by thousands. In ability and in standing not a few among them may safely be compared with

the learned pastor of the Brick Church. If *they* make no effort to repel the assault, we shall infer that they regard it as harmless.

> "Sic fatus senior, telumque imbelle sine ictu
> Conjecit."

The great lessons of charity, and mutual respect, and mutual forbearance, how slow and hard to be learned! At the age of thirty, Gardiner Spring, a man of fine abilities and accomplishments, a man of piety and promise, goes down from New Haven to New York, and becomes the pastor of a large and influential society. He is fresh from the teachings of Dwight, Stuart, and Woods, and doubtless represents the New Haven theology of that day. At first, everything seems smooth and fair. But it is not long before the orthodoxy of the young minister begins to be doubted. He is suspected of having some Yankee notions. Suspicion once begun soon ripens to belief, and then the storm-cloud of ignorance and bigotry breaks and roars and rattles round the head of the innocent yet undismayed intruder. Those good Presbyterians, those reverend doctors, thought they were right, — they had not a doubt of it; they verily believed that they would be doing good service to religion and humanity, if they should put down or drive out the pestilent New England heresy. How small and narrow, how blind and ignorant, how uncharitable and unkind, those men then seemed to him whom they thus attacked and abused! And now, at the ripe age of fourscore, when drawing near the close of an unusually long and prosperous career, the Rev. Dr. Gardiner Spring — But enough, it is quite unnecessary to complete the parallel or to apply the lesson.

We should do the Doctor an injustice should we make no mention of him as an author. His published works amount to twenty-two good-sized volumes, and the profits from their sale have undoubtedly been considerable; but neither as a preacher nor as a writer of books can he be considered a brilliant or very profound or highly interesting man.

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4. — *Narrative of a Year's Journey through Central and Eastern Arabia* (1862–63). By William Gifford Palgrave. Second Edition. London and Cambridge: Macmillan & Co. 1865. 2 vols. 8vo.

There is scarcely any part of the globe of which so little is generally known as Arabia; and there is no other part of the world concerning which there is so much misconception. This is due chiefly to the extreme isolation of the Arabian peninsula, especially the central portion of it, which is much greater now than it was in very ancient times,

when communication between India and the Mediterranean was neither through Egypt nor around the Cape of Good Hope, but up the Red Sea and across to the great cities of Phœnicia. Until recently, modern Europe has known much less of Arabia than was known by the Greeks and Romans, whose knowledge of it, nevertheless, was very deficient. Niebuhr, Burckhardt, Wellsted, and others, who have published accounts of travel and observation in Arabia, visited only some of the provinces on the coast. They tell us nothing of the interior. Lieutenant Wellsted travelled in Oman, and explored nearly the whole coast line of the peninsula; and yet his book begins with a comparison of Arabia to a coat of frieze bordered with gold, "since," as he says, "the only cultivated or fertile spots are found on its confines, the intermediate space being filled with arid and sandy wastes."

The chief interest of the volumes before us is in the very interesting account they give of what Mr. Palgrave found in the central regions of Arabia, which was as new to him as it will be to his readers. Speaking of his outfit for the journey, he says it would have been very different if he "could have foreknown the real nature of the countries" before him; but he supposed, "like most people, that Arabia was almost exclusively the territory of nomads, and that the fixed population must be proportionally small and unimportant." He found, on the contrary, that Central Arabia consists of an elevated and extensive table-land, surrounded by a circle of deserts, occupied by a settled and civilized population, and now divided into two kingdoms, — Shomer and Nejed. Throughout nearly the whole of his journey he found a fixed population, with cities, towns, tillage, and regular governments, where "Bedouins stand for little or nothing." He estimates that this central table-land constitutes nearly half of the peninsula, and that the nomads amount to less than one seventh of the whole population. He urges with much emphasis that the wandering Bedouins must not be taken as a true sample of the Arabian race; for "they are only a degenerate branch of that great tree, not its root or main stalk." In a word, they are a degenerate, roving population, "grown out of and around the fixed nation," and very far from resembling the fancy-formed "sages and noblemen of the desert" shown us in the portrayals of French and other romance.

Our traveller went first from Gaza to Ma'an; and then, on the 16th of June, 1862, having engaged a company of Bedouins as guides, he started for the Djowf, a valley, or oasis, sixty or seventy miles long and ten or twelve broad, which he describes as "a kind of porch or vestibule" of inhabited Central Arabia. This journey occupied nearly two weeks. He had engaged as a travelling companion a young Syr-

ian named Baraket, who proved to be shrewd, faithful, and useful. At Wadi Serhan, he first touched the kingdom of Shomer, and began to hear distinctly of its Sultan, Telāl-ebn-Rasheed. The Djowf was five or six days' journey farther on. The chief town of this oasis, also called Djowf, is situated in a deep, broad, fertile valley, and, with its tall, solitary tower, small, round turrets, and flat house-tops, half buried amid the garden foliage, presented "a lovely scene," as the traveller approached it from the west. In this valley is another large town called Sekakah, nearly as large as Djowf. Mr. Palgrave thinks the two contain over thirty thousand inhabitants, and the whole oasis over forty thousand. He remained there eighteen days, practising medicine, selling his merchandise, and studying the people.

It would be useless, and probably unsafe, for a European to undertake such a journey without disguise. Therefore Mr. Palgrave travelled as a physician and a native of Damascus. A long residence in the East, an intimate acquaintance with the different sects, religious customs, and social peculiarities of the Mahometan world, and a perfect knowledge of the Arabic language, gave him unusual qualifications for such a tour of observation. At the Djowf he won general confidence, and received much favor from Hamood, who governs there as viceroy of the Sultan of Shomer. He found among the people "a rising civilization contending against preceding and surrounding barbarism," with only a "tincture" of Mahometanism, "much hospitality and little good faith, sufficient politeness and no morals." Meanwhile, he saw a promise of better things in Shomer proper, still before him.

From the Djowf he went across "the formidable sand passes called the Nefood," and reached Hāyel, the capital of Shomer, under the guidance of ten or twelve Bedouin chiefs, who were going to the Sultan Telāl to give him satisfaction on matters touching their submission and allegiance to his government. The whole journey to Hāyel occupied nine days. The first view of the city is thus described: —

"We found ourselves on the verge of a large plain, many miles in length, and girt on every side by a high mountain rampart, while right in front of us, at scarcely a quarter of an hour's march, lay the town of Hāyel, surrounded by fortifications twenty feet high, with bastion-towers, some round, some square, and large folding gates at intervals. It afforded the same show of freshness, and even of something like irregular elegance, that had before struck us in the villages on the way. But this was a full-grown town, and its area might readily hold three hundred thousand inhabitants or more, were its streets and houses close packed, like those of Brussels or Paris. But the number of citizens does not, in fact, exceed twenty or twenty-two thousand, thanks to the many large gardens, open spaces, and even plantations included within the outer walls; while the immense palace of the monarch, alone, with

its pleasure-grounds annexed, occupies about one tenth of the entire city. Our attention was attracted by a lofty tower, some seventy feet high, of recent construction and oval form, belonging to the royal residence. The plain all around the town is studded with isolated houses and gardens, the property of wealthy citizens or of members of the kingly family; and on the far-off skirts of the plain appear the groves belonging to Kafar, 'Adwah, and other villages, placed at the opening of the mountain gorges that conduct to the capital. The town walls and buildings shone in the evening sun; and the whole prospect was one of thriving security, delightful to view, though wanting in the peculiar luxuriance of vegetation offered by the valley of the Djowf." — Vol. I. pp. 102, 103.

Telāl, the Sultan of Shomer, is described as a man of very remarkable capacity and character; wise, liberal-minded, a lover of commerce and building, secret in his designs, never known to break a promise or violate a plighted faith, severe in administration yet averse to bloodshed, affable towards the common people while reserved and haughty towards the aristocracy, his rule is extremely popular and successful. Mr. Palgrave adds: "Among all rulers or governors, European or Asiatic, with whose acquaintance I have ever been honored, I know few equal, in the true art of government, to Telāl, son of Abd-Allah-ebn-Rasheed." The great qualities of this prince so won his confidence and admiration, that he finally made known to him fully his real character, nationality, and purpose in visiting Arabia; and Telāl met this confidence with the noblest generosity and good-will.

The kingdom of Shomer comprises five provinces, and, in addition, nearly three fourths of the Bedouins of Central Arabia are subject to its government, most of these nomads being in the northern part of the peninsula. The kingdom of Nejed embraces eleven provinces; but there seems to be, in reality, but one nation in Central Arabia, and in ancient times there was probably but one supreme government. At one time, the Wahhabee dynasty of Nejed, not now much over a century old, had complete dominion over the whole; and even now there is in Shomer a kind of nominal admission of the supremacy of the Sultan of Nejed. As Feysul, the Wahhabee Sultan, is very old and "stone blind," while Telāl, who represents the growing national reaction against the Wahhabee fanaticism, is only about forty years of age, it does not require very great sagacity to foresee, near at hand, important political changes in that secluded part of the world.

Mr. Palgrave gives an interesting account of his intercourse with the people of Hāyel as a physician and otherwise. He remained there about six weeks, and then went to Bereydah, in Lower Kaseem, accompanied and guided by certain natives of that province. He noticed that the show of civilization constantly increased as he proceeded

eastward; Kaseem being as much superior to Shomer, in this respect, as Shomer was to the Djowf. Kaseem is a very old seat of Arabian civilization. The city of Bereydah contains over twenty-five thousand inhabitants, and 'Oneyzah over thirty thousand. Here is Mr. Palgrave's description of the magnificent plain of Lower Kaseem, in which these cities are situated: —

"Before us, to the utmost horizon, stretched an immense plain, studded with towns and villages, towers and groves, all steeped in the dazzling noon, and announcing everywhere opulence and activity. The average breadth of this populous district is about sixty miles, its length twice as much or more; it lies full two hundred feet below the level of the uplands, which here break off like a wall, and leave the lower ground to stretch uninterruptedly far away to the long transverse chain of Toweyk, that bounds it to the south." — Vol. I. p. 239.

He was detained at Bereydah nearly three weeks by great difficulty in securing guides for the journey to Riad, the capital of Nejed. Every one refused to go there with him; almost every one seemed afraid to go. The people of Kaseem fear and hate the Wahhabee despotism. Mr. Palgrave says, "The central region of Nejed, the genuine Wahhabee country, is to the rest of Arabia a sort of lion's den, where few venture and fewer return." While waiting for guides, he made excursions to the neighboring villages, and found them "clean and pleasant, and not unlike those of Jafnapatam and Ceylon." The soil belongs in full right to its cultivators; and the people seemed free from want, although heavily burdened by the excessive Wahhabee taxes. At length, through his companion, Barakat, he became acquainted with a very important personage named Aboo 'Eysa, a native of Syria, but long an adventurer, and now an *employé* of the Sultan of Nejed. This person was going to Riad, and readily consented to receive our travellers into his company. Along with them went also a Persian of high rank, to seek redress for grievances suffered by a company of Meccan pilgrims with which he was connected. They took a circuitous route to Riad, and passed through the important province of Sedeyr, where Mr. Palgrave found "elegant and copious hospitality," and much dignity and politeness in the manners of the people. He says, "The dominant tone of society, especially in Sedeyr, is one of dignified and even refined politeness."

On this journey he passed through the town of Horeymelah, the birthplace of Mohammed-ebn-Abd-el-Wahhab, the great prophet and founder of the Wahhabee sect. This remarkable man was born there about the middle of the last century, began his life as a travelling merchant, and visited various countries, going as far as India. At length his mind was stimulated to develop the ideas that have since inspired

and directed Wahhabism. He became a prophet and reformer. His aim was to restore the primeval spirit and image of Mahometanism. Finally, he sought the co-operation of another remarkable man, Sa'ood, the Prince of Derey'eeah, and said to him, "Make the cause of God your cause, and the sword of Islam your sword, and you shall be sole monarch of Nejed." Sa'ood accepted the mission, became a devoted Wahhabee, and conquered province after province, until the promise to him was fulfilled. He became sole monarch of Central Arabia. He was great-grandfather of Feysul, the present Sultan of Nejed. The power he established received a terrible blow after his death from Ibrahim Pasha of Egypt, in return for the capture of Mecca and Medina by the Wahhabees under his son Abd-Allah, which nearly destroyed it for a time. It was restored by the father of Feysul, but has not recovered all its former greatness.

Mr. Palgrave's description of his first view of Riad and the beautiful region around it is very picturesque.

"Before us stretched a wild, open valley, and in its foreground, immediately below the pebbly slope on whose summit we stood, lay the capital, large and square, with high towers and strong walls of defence, a mass of roofs and terraces, where, overtopping all, frowned the huge but irregular pile of Feysul's royal castle, and, hard by, the scarcely less conspicuous palace of his eldest son, Abd-Allah. Other edifices of remarkable appearance broke here and there through the maze of gray roof-tops. All around, for full three miles, over the surrounding plain, waved a sea of palm-trees above green fields and well-watered gardens. On the opposite side, southward, the valley opened into the great and even more fertile plains of Yemamah, thickly dotted with groves and villages, among which the large town of Manfoohah, hardly inferior in size to Riad itself, could be clearly distinguished." — Vol. I. p. 390.

Our traveller remained fifty days at Riad. At first he encountered threatening difficulties; but these gave way, and his success in winning favor, both at court and among the people, went beyond his expectations. At length the fanatical and ferocious Abd-Allah became excited against him, and sought to prevent his departure from the city. For a time it seemed impossible for him to get away; and it was only through the assistance of the friendly Aboo 'Eysa that he made his escape, and went safely to Hofhoof in Hasa. He had spent nearly six months in Central Arabia. The remainder of his time was given to Hasa, Katar, the Bahreyn Islands, and Oman.

Mr. Palgrave adds nothing to our knowledge of Southern Arabia; but, without having explored in that direction, he describes a wide region between Southern Nejed and the districts known as Yemen, Hadramant, and Mahrah, as "the great desert." A better knowledge of

that region would probably show that it is not wholly a desert; that portions of it are inhabited; and that much of it is like the Syrian desert, of which he says, "Those very lands, now so utterly waste, were in old times, and under a better rule, widely cultivated and full of populous life, as the numerous ruins strewn over their desolation yet attest." In Katar he fell in with two Arabs who went from Nejed, spent two months in this "great southern desert," and crossed it to Maa'reb in Yemen. They found in it wells and dates; and so little did they dread it that one of them declared his readiness to pilot our traveller across it to Dofar and Hadramant. We hope the next competent explorers in Arabia will give careful attention to this desert, to the district called Neiran, and to the inner regions of Yemen and Hadramant. This was the foremost portion of Arabia at that remote period when the Arabians and Phœnicians, a kindred people, monopolized the commerce of the world. Here was a great civilization, much older, probably, than that of Egypt. Here are the great ruins and the inscriptions which may yet tell us something more definite concerning the ancient history of that country.

Mr. Palgrave's estimate of the Arabian people is very high. They are not only better governed and in better condition than the neighboring people of Asia, but he maintains that they are far superior to any other Asiatic race. In fact, he says: "The Arabians of inhabited lands are one of the noblest races on earth. Indeed, after having travelled much, and made pretty intimate acquaintance with many races, African, Asiatic, and European, I should hardly be inclined to give the preference to any other over the genuine unmixed clans of Central and Eastern Arabia." The people here specified belong to the Katanite or Cushite race; and, by the general consent of tradition throughout the peninsula, this is the oldest race existing there, and its original seat was Yemen. The old language of the Katanites, or Cushites, is still spoken in some districts. We have also specimens of it in the inscriptions already discovered. It is sometimes called the Himyarite; and the linguistic investigations of the French scholars, Fresnel, Arnaud, and others, according to Renan, in his "Semitic Languages," indicate that it is the language of the old Chaldæan or Babylonian inscriptions, and that the Ghez dialect of Abyssinia is closely related to it.

The volumes of which we have given some account show intelligence, good sense, and great aptitude for ready and successful observation. They are interesting and valuable. It is, however, to be regretted that our traveller shows but little interest in the antiquities of Arabia. There must be old ruins in Kaseem, Sedeyr, and elsewhere in Central Arabia, that should be discovered and described. Mr. Pal-

grave does, indeed, report one or two noteworthy discoveries. In Kaseem, he found the remains of a very ancient stone structure, or "Druid circle," precisely similar to Stonehenge in England. A portion of the circle was still standing; the vast stone pillars were fifteen feet high. He says, "There is little difference between the stone wonder of Kaseem and that of Somersetshire [Wiltshire], except that one is in Arabia, and the other, more perfect, in England." His Arabian companions told him of two other gigantic stone structures of the same kind, still existing in the neighboring districts. In his description of the old castle at Djowf, he says it appeared to be a very ancient structure, to which large additions had been made at different periods, and adds: —

"The southerly side is the only one that has preserved its first line of construction tolerably unbroken; and here the huge size and exact squaring of the stones, in the lower tiers, indicate the early date of the fabric, while several small windows, ten or twelve feet from the ground, are topped by what is called the Cyclopean arch, — a specimen of which may yet be seen in the so-called palace of Atreus at Mycenæ." — Vol. I. p. 76.

If we suppose, what recent investigations, as well as Herodotus and old tradition, appear to make certain, that the Phœnicians were a branch of the old Southern Arabian race, and that they carried civilization to Greece in the remote Pelasgic age of that country, the discovery of Cyclopean structures in Central and Southern Arabia, similar to those in Greece, will not surprise us. They are found also in the ruins of the old Phœnician cities on the Mediterranean. In that portion of Renan's explorations in Phœnicia, in 1860 – 61, already published, he describes what was found at Ruad (the ancient Arad, and the Arvad of the Hebrew Scriptures), and at Amrit or Mrith (the ancient Marath, or Marathus as the Greeks made it). He gives particular attention to the ancient wall around Ruad, built of vast quadrangular blocks of stone, some of them ten feet thick and fifteen or sixteen feet long; and he describes an enormous mausoleum at Amrit, which was constructed of immense blocks of stone. It is now called "Burdj el-Bezzâh," and Renan speaks of it as the most considerable and best-preserved building of ancient Phœnicia. Both structures belong undeniably to a very ancient period of the Phœnician settlements on that coast; and yet "there are indications that the mausoleum, although anterior to the Greek epoch by several centuries, was constructed of materials belonging to a still more ancient edifice."

We might point out that Mr. Palgrave sometimes writes carelessly; that, in his discussions of Mahometanism and the Wahhabees, he some-

times mingles dogmatic prejudice with his philosophy; and that his ethnological speculations are not of great value: but it is not worth while to do so. His volumes have great merits, and are worthy of their dedication "to the Memory of Carsten Niebuhr."

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5. — *Bracton and his Relation to the Roman Law. A Contribution to the History of the Roman Law in the Middle Ages.* By CARL GÜTERBOCK, Professor of Law in the University of Königsberg. Translated by BRINTON COXE. Philadelphia. 1866. 8vo. pp. 182.

THE Königsberg professor and his Philadelphia translator deserve the thanks of all students of English history, on two accounts. Firstly, for bringing before them a very curious and hitherto imperfectly known aspect of the influence of the Roman jurisprudence upon the institutions of England; and secondly, because it is not impossible that such a work from the depths of Germany may shame Englishmen into something like an earnest and rational cultivation of the materials at their hands for a proper understanding of their own history.

Had any other nation of Europe boasted of a thirteenth-century writer like Bracton, what a wealth of critical acumen and erudition would have been lavished upon him! He would have been carefully edited by profound and patient scholars; the most painful collation of manuscripts would have rendered a perfect text accessible; the influences of the age upon him would have been studied; his influence upon succeeding ages would have been carefully traced; and many obscure problems in the development of the institutions of England would doubtless have been elucidated.

As it is, the contrast is somewhat humiliating. No nation in Europe possesses a work so important to the right understanding of its existing jurisprudence as England has in Bracton's treatise *De Legibus et Consuetudinibus Angliæ*, and yet but two editions of it have been printed, — one in 1569 and the other in 1640, — both without editorship and simply as a legal text-book for practitioners. In Bracton's time, all Europe was waking up to the revisal and systematizing of the law. Frederic II. had just completed his *Constitutiones Sicularum*. Germany was engaged upon the *Sachsenspiegel*, the *Schwabenspiegel*, the *Kayser-Recht*, and the *Richstich Land-Recht* and *Lehn-Recht*. Alphonso the Wise was bestowing upon the unwilling Castilians the *Siete Partidas*. Hako Hakonsen was performing with the *Jarnsida* the same office for Norway and Iceland. Waldemar II. of Denmark was giving to his subjects their first written code. St. Louis was

issuing the Ordonnances which were soon afterwards collected under the title of the *Établissements*, and the school of legists whom he trained, such as De Fontaines and Beaumanoir, were writing the treatises which give us a clearer view of the France of that day than all the annals and chronicles that have been preserved to us.

All these Continental codes and books of practice have become utterly obsolete, while Bracton is still an inseparable part and parcel of English law. Yet the Continental works have been printed and reprinted; everything that could throw light upon them has been thoroughly ransacked, and nothing has been left undone to extract from them every fraction of information attainable. The contrast between this and the neglectful treatment of Glanville, Bracton, Britton, and the Fleta is discreditable to English industry and learning.

Few questions more interesting can be presented to the student than the influence of the Roman law upon the customs and jurisprudence of modern Christendom. In Italy, it was perhaps never entirely extinct, though long over-ridden and almost smothered by the Lombarda. In Spain it was preserved as a national code by its thorough interpenetration throughout the Wisigothic laws and the Fuero Juzgo. In France, it gave form and shape to the efforts by which St. Louis and his successors broke down the decentralization of the feudal system and achieved their victory over the canon law. The constitution of the Germanic Empire presented greater obstacles to its reception, but it gradually won its way and undermined all opposing forces. Ample materials have been collected for the elucidation of all these stages of its history, and laborious scholars have traced them step by step. England remained a problem. The Conquest had given to her institutions a completeness as a whole which was lacking in other countries, parcelled out into chartered towns and provinces, each with its special code. Her feudal system was more vigorous and compact than that of any other nation, and her judicial machinery far more uniform and effective. She was therefore prepared to resist the invasion of the civil law, and she manifested for it a jealous repugnance, composed of mingled fear and contempt.

That the civil law, nevertheless, exercised some influence upon the common law has long been understood; but the exact nature and extent of that influence have been a question with even the best-informed English jurists, whose distinguishing characteristics are not those of patient research and accurate familiarity with the Digest and Code. Accordingly, it has been left for Dr. Güterbock to make a thorough comparison of Bracton's treatise, as the principal source and authority of English jurisprudence, with the foreign sources from which he could have

drawn materials to modify and reduce to system the practice of his day. The result is the compact volume before us, of which the size bears no proportion to the labor it has cost, or to its value to all who would have a clear idea of the formation of our legal institutions.

Those who believe that the common law of England is an independent creation will be surprised to see how much Bracton has borrowed from abroad. He was thoroughly familiar, not only with the Institutes, the Digest, and the Code, but also with the writings of the principal commentators of the Italian schools. Azo of Bologna, a celebrated glossator of the thirteenth century, seems to have been his principal authority; and the *Summa* of Azo furnished him much, not only as to arrangement and principles, but even as to details. All this is carefully traced out by Dr. Güterbock, who traverses the entire treatise of Bracton, and by references and parallel passages shows how much of Roman law was incorporated by Bracton, either to supply deficiencies or to modify what was defective in the customs of the land.

Mr. Coxe, in his Preface, remarks that, while the author intended his work to be a contribution to the history of the Roman law, the translation is presented as an aid to the study of the English law. That it is a valuable one, no one will deny; but it might have been more valuable, if not to professional, at all events to unprofessional readers. We gather from a note that Mr. Coxe originally intended to follow up the subject, and to trace the development to the extinction of the various principles and details adopted by Bracton from the Roman law. We greatly regret that he did not carry out this purpose. Judging from the notes which he has added, we should presume him to be eminently fitted for such a task by familiarity with the subject and by habits of a close reasoning and laborious investigation.

We would hope that the intention may not be abandoned, but only postponed, to ripen hereafter into an independent volume, in which the sources and development of the English law may be traced from the earliest times to the present day. The materials for such a work exist in a richness and continuity that no other nation possesses, and they should long since have been turned to account. Mr. Coxe, apparently, has both the taste and the ability to supply the void, and the task is one well worthy of his ambition.

6. — *Campaigns of the Army of the Potomac. A Critical History of Operations in Virginia, Maryland, and Pennsylvania, from the Commencement to the Close of the War*, 1861–1865. By WILLIAM SWINTON. New York: Charles B. Richardson. 1866.

AMONG the war correspondents of the New York Times during the late Rebellion, Mr. Swinton held, by common consent, the first place. His letters were spirited and entertaining. They were sensible as well as dramatic, and they seemed to be trustworthy. They indicated that their writer had an acquaintance with the principles and history of war that was unusual among newspaper correspondents. The circulation of the New York Times was so extensive that they were almost universally read. Thus it happened that, when it became known that Mr. Swinton was engaged upon a history of the Campaigns of the Army of the Potomac, his book was awaited with eager expectation by those who took a lively interest in the doings and sufferings of that army.

The book is now before us, and we are to say what the author has undertaken to do, and with what degree of success he has performed his task. The Preface is dated April, 1866; the title-page declares the book to be a critical history of operations in Virginia, Maryland, and Pennsylvania, from the commencement to the close of the war; and the volume contains six hundred and forty pages. These facts, taken in connection, excite a feeling little short of amazement. Every one knows the duration of the war, and almost every one knows something of its character. The life of the Army of the Potomac was as full of battle and of siege as the life of Wallenstein. On the 7th of March, 1865, general orders were issued from Head-quarters, Army of the Potomac, declaring the names of battles which should be inscribed on colors and guidons. This was a month before the surrender at Appomattox Court-House, and that month included all the battles of the last campaign; and yet to the Twentieth Regiment of Massachusetts Volunteers, to which a list longer than that assigned to any other regiment of infantry was accorded, those orders gave the right to inscribe upon their colors the names of twenty-six battles. The question presents itself, how can it be possible for a man to complete a critical history of the campaigns of such an army within a year from the surrender of its opponent, the Army of Northern Virginia, and how can it be possible that such a work, if completed, should be confined within the narrow limits of a volume of six hundred and forty pages? These questions, however, in a manner answer themselves. The length of the book and the time at which it was completed are matters of fact. Whether or no it can fairly be styled a critical history of the operations of which it

treats, is matter of opinion. In our judgment, the title is too ambitious. The work is not a critical history in any such sense as the works of Napier and Jomini, for instance, are critical histories. It is an account, and on the whole a good one, of the operations in the middle section of the eastern zone, and it contains much sensible criticism.

It is probable that Mr. Swinton has no rival in the possession of material. He says himself, in his Preface: "No sooner had the war closed, and it was known that I had addressed myself to this work in earnest, than, from all sides, reports, despatches, and memorials poured in on me. It soon came about that, respecting every important action of the Army of the Potomac, there were brought to my hand, not only the manuscript official reports of its corps, division, and brigade commanders, but, for the illustration of its inner life and history, a prodigious mass of memoirs, private note-books, despatches, letter-books, etc." He states in the same place that he had access to much contemporaneous information, written and oral; and that, since the war ended, he has had the benefit of full conversations with the chief officers of both armies, of possessing a complete set of "Reports of the Army of Northern Virginia," and many manuscript reports and documents forwarded to him from Confederate hands, especially "the invaluable gift of the unpublished consolidated monthly returns of the Confederate Army from the commencement to the close of the war."

He has used this great mass of valuable material with a good deal of diligence. The information he has derived from Confederate sources is interesting and important; but the disposition shown all through the war by Confederate officials, civil and military, high and low, to make very much of all they did and little or nothing of all we did, inspires a feeling of distrust of all testimony coming from that quarter. Even General Lee was gravely suspected of not being as truthful as he might be, especially in the matter of his denial of the statement of the capture by our army of a portion of his rear-guard when he recrossed the Potomac at Williamsport, after his defeat at Gettysburg. Mr. Swinton has himself found occasion to pronounce one statement of General Lee, made in an official report, "too absurd to require serious reply" (page 234). The arrogant spirit which possessed many of the Rebel officers was well illustrated by a speech made by one of their generals, McLaws we think it was, to some of our officers whom he met under a flag on the James River soon after the "Seven Days." Referring to the gallant Fifth New York Volunteer Infantry, one of the best regiments in the service, to whom he had been opposed at Gaines's Mills, he found nothing better to say than this: "I never saw men take killing better than those fellows in red breeches."

That a great amount of valuable information is to be derived from Confederate sources we do not doubt; but we think that the spirit shown by the Southern people, press, and officials, all through the war, makes it important to examine all information so derived in a spirit of scepticism, and we incline to the opinion that Mr. Swinton has been quite ready enough to believe all that Southern officers have told him.

We have said that Mr. Swinton has used his material with a good degree of diligence. That is going quite as far as we are disposed to go. As an intelligent account of the campaigns of the Army of the Potomac, and a sensible statement and discussion of the military principles applicable to the conduct of those campaigns, his volume is satisfactory, but it is not to be regarded as entirely trustworthy in its descriptions of particular battles. We find more fault with him for his omission of facts which he either knew or ought to have known, than for incorrectness in what he does state; but there is room for complaint on each ground.

The *animus* of such a book, coming from a man in such a position as that of Mr. Swinton, is a matter of no small importance. So far as the Army of the Potomac, regarded as a whole, is concerned, it is all that could be desired. He is the faithful champion of that army, which, in his own words, "losing again and again the component parts of its structure, thinned by death and wounds and wasting disease, and filled up again and again by the unquenched patriotism of the people, never lost its individual being, but remained the Army of the Potomac still." He celebrates "the unswerving loyalty of this army, that ofttimes, when the bond of military cohesion failed, held it, unshaken of fortune, to a duty self-imposed." He undertakes to follow it through a checkered experience, in a tale commingled of great misfortunes, great follies, and great glories; but from first to last it will appear, he says, "that amid many buffets of fortune, through 'winter and rough weather,' the Army of the Potomac never gave up, but made a good fight, and finally reached the goal."

Though he is so true to the name and fame of the army as an army, the manner in which he has ascribed praise and blame to particular commands will hardly be approved by those competent to judge. There are even passages which are hard to understand, except upon the theory that he has bestowed his praise in accordance with suggestions contained in the memoirs and private note-books of which he says so many have poured in upon him.

Mr. Swinton is a man of decided opinions, and he expresses them without reserve. In the first chapter of his book he says that the Army of the Potomac never had a great, and generally had commanders of moderate ability; and the proposition thus stated is mild in comparison

with his criticisms as the book advances. He says in his Preface, "It is probable that the estimates here rendered of the successive commanders of the Army of the Potomac may in some cases be found to run counter to, and in other cases to be a reversal of, popular estimates." The antithesis is obscure, and we think that the popular mind is settling down into substantial agreement with most of his estimates. His book will be extremely disagreeable reading for General Pope, General Burnside, and General Hooker; but General Banks will find a crumb of comfort in it, and General Butler a great many, and we can imagine that it will never be out of sight in whatever house General Warren may occupy. The much vexed question of General McClellan's military capacity is disposed of by him in a way in which we are disposed to agree: "Of him it may be said, that, if he does not belong to that foremost category of commanders made up of those who have always been successful, and including but a few illustrious names, neither does he rank with that numerous class who have ruined their armies without fighting. He ranges with that middle category of meritorious commanders, who, like Sertorius, Wallenstein, and William of Orange, generally unfortunate in war, yet were, in the words of Marmont, 'never destroyed nor discouraged, but were always able to oppose a menacing front and make the enemy pay dear for what he gained.'"

In our opinion, Mr. Swinton's criticisms upon the doings of Pope, Burnside, Hooker, and Halleck are fully justified by the facts. The campaigns of which the first three had charge were extremely disastrous, not to say disgraceful; and the more we know of the history of the war, the deeper becomes our conviction that General Halleck's influence, however good his intentions may have been, was all for evil. We do not think, and we do not believe the soldiers of the Sixth Corps will think, that Mr. Swinton has given their true-hearted leader, General Sedgwick, the credit he deserves. The general tone of his mention of him is cold. As for General Meade, he holds the balance quite evenly, but upon the whole leaves upon our minds the impression that, in his judgment, he has won all the fame that was his due. It is certain that very many tactical failures attended the movements of the army around Petersburg in 1864; and it is extremely difficult to form an opinion how far these failures were the fault of General Meade, how far of his subordinates, and to what extent they resulted from the natural difficulties that stood in the way of the forces taking the offensive in that puzzling country, where woods, streams, hills, and ravines combined to obstruct the sight, hearing, and movements of the troops.

But the thing which interests us most in this book, and which seems to us to give it its greatest value for the thoughtful reader, are its

incidental discussions of the curiously unsettled question of General Grant's military capacity. Success is usually the sufficient test of merit to the popular mind; and the man who took Vicksburg and carried the heights of Mission Ridge, and then took in a firm grasp the scattered masses of our army and moved it so irresistibly upon the enemy that in one short year the military fabric of the Confederacy passed like a wreck away, can never be otherwise than a great soldier, in the eyes of his contemporaries at least. But it is a curious and interesting question for inquiring minds, whether the foremost soldier of the great Rebellion was really a great soldier, or only a man of much good sense and almost unequalled tenacity of purpose. It is obviously impossible to so much as lay out the outlines of such a discussion in an article like this. It is enough for us to say that Mr. Swinton often touches on this question; that his statements bearing on it are clear, strong, and precise; and that he indicates, without expressly declaring it, that, in his opinion, the Lieutenant-General falls within the latter description.

The portraits which illustrate this volume are admirable. It has the valuable addition of an Index; and the maps are convenient in form, and seem to us, in a hasty examination, to be excellent. The book is very entertaining reading, though there is no such writing in it as makes some of Napier's pictures of battles models of their kind. It is far less dramatic than the letters which its author used to send to the New York Times; but that was to be expected in the attempt to compress so long a story into such a narrow compass. Its new material and its able criticisms combine to give the book great value, and only leave us to desire that we might feel something more of confidence in the accuracy of its details.

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7. — *The Daily Public School in the United States.* Philadelphia: J. B. Lippincott & Co. 1866. 8vo. pp. 158.

This careful-looking pamphlet is devoted to an exposure of the shortcomings of our system of Common Schools. It is based on an analysis of the system as it exists in four leading States, Ohio, Pennsylvania, New York, and Massachusetts. The analysis, indeed, is not quite so thorough or so methodical as it might seem at a hasty glance, — the author's mind being apparently too full of what he considers the defects common to all to dwell much upon individual peculiarities; but it is evidently the work of a man of sense, candor, and considerable experience, and his opinions are the better worth listening to because they are

quite opposite to the prevailing opinions. There is, perhaps, no covert or fastness from which we should imagine it would be more difficult to dislodge the American peacock than the Common School. Here he expands and suns himself secure in the admiration of the civilized world, and accepts as his due the tribute offered to his superiority by the envy of crowned heads and of the aristocratic scoffers of Europe. This is the pleasing theme of newspapers and popular orators. One of the most intelligent journals in the country lately urged, as an argument in favor of international copyright, the opening it would give for the introduction of our school-books, and in due course our methods of popular education, into England. There is no doubt some ground for this self-glorification, but still it is not a wholesome temper, and it hinders progress by blinding us to defects which we may be sure exist. Of late, indeed, there have been doubtful and warning voices. Professor Atkinson, in his Lecture before the Institute of Instruction at New Haven, confesses his fears "that, with all our boasted improvements, if our cotton-mills did not approach nearer to the ideal perfection of cotton-spinning than our schools do to the ideal perfection of teaching, they would speedily ruin their stockholders." And whoever has compared some of the school-books lately published in England with the products of that lucrative branch of industry in this country, or has noticed the tone which the discussions of popular education are taking there, will be somewhat prepared for the disquieting conclusions at which our author has arrived. "It is our firm belief," he says, "that the confidence reposed in our present common-school system is delusive, and that, while specific branches of knowledge have advanced in later years, and some spheres of education have been greatly widened and improved, the work of preparing the great body of the school-children of the country for the duties and responsibilities of life is very imperfectly done." There is, indeed, some difficulty in fixing a standard. To determine, for instance, how many persons in a given district can read and write is, our author remarks, as hard as to determine how many of them are "well off." The standard which he proposes cannot certainly be called an unreasonable one. He would only require "that every individual between five and twenty-one may have the opportunity to be *well taught* in reading, spelling, writing, grammar, geography, and arithmetic"; but he says (p. 65), "In the course of fifty years' pretty close observation of a great variety of men and women of diverse temperament, social relations, capacities, and pursuits, we have scarcely found one in a thousand that could spell, read, write, or speak their mother tongue with propriety"; and his observation of many thousands of children and youth has satisfied him that (p. 11) "nine in ten of them are incompe-

tent to read properly a paragraph in the newspaper, to keep a single debt-and-credit account in a mechanic's shop, or to write an ordinary business letter in a creditable way." And it is from a Massachusetts teacher too that he cites the remark that (p. 123) "the culpable neglect of the New England schools in teaching their pupils how to write a letter is proved a hundred times every year in the letters we receive. Men and women in respectable situations write us letters which disgracefully abound with false grammar, bad spelling, and worse punctuation." These are not cheerful pictures, nor does our author encourage us to believe that matters are substantially improving. He is "by no means prepared to admit that the schools of to-day make better readers, spellers, and writers than were made by the schools forty or fifty years ago." Then, "what was lacking in facilities was largely made up in application and painstaking. The young mind was not distracted with a score of different studies. Nobody dreamed that rhetoric and philosophy, political economy and constitutional law, had a place in the daily common school." The system must be judged by its fruits, and, moreover, relatively to the general development and progress; if the schools are not better, they are worse; "the arts and sciences have advanced marvellously, but whether the people more justly appreciate their social and civil privileges, whether the virtues of honesty, industry, temperance, and reverence for the authority of God or man, are as conspicuous now in the mass of the community as they were then, is very questionable."

Whether we fully share these gloomy views, or whether there may be something to be said on the other side or not, there is some truth in the notion that the cheerful view is the distant one, and that in general those who see the schools near at hand, without any professional or other disturbing bias, are the least satisfied. Those who see them at a distance see a good deal of show and bustle, and they are ready to conclude that the high average of intelligence and cultivation which they see, and which no doubt is highest where the schools are the best, is the direct product of the schools. The opposite view is, the wonder that schools in the midst of so intelligent a people, and completely subject to their control, should be so lifeless, so little in earnest or discriminating either as to what is taught or the way in which it is taught. And an uncomfortable suspicion sometimes intrudes itself that the stir and noise, the imposing array of academies, lyceums, colleges, with their programmes, their diplomas, and their professorships, may be due to the working of a very different spirit from that which moved in the original conception of the New England schools, — that the glory of that conception is in danger of being counterfeited for the behoof of

something of a very different nature, — and a doubt whether the real demand is not in many cases rather for something to be used as the badge of social distinction than for education.

There is certainly no excess of political economy, philosophy, or even of rhetoric, that is, of the reality of these things, in the community, but a great deal too much of a cheap and flashy show of them, a smattering of names and phrases with little thought of knowledge, but only a desire to be supposed to know, and to get thereby some credit or advantage, without any gain, but only to the obstruction, of real enlightenment. And it may be well for us to ask ourselves whether something of this spirit might not be found even in the Normal Schools of which we in Massachusetts are so proud. The idea is an attractive one, — to teach the teachers, to raise the whole level of education by elevating the sources. But are they teachers that we are teaching in these schools? In 1862, two hundred and seventy-five pupils entered the four Normal Schools of the State. How many teachers came out? What proportion of the pupils went there with the intention of devoting themselves to the profession of teaching? These questions our author does not find it easy to get answered. The Normal School at Salem, he says, has been open ten years. The number of graduates from this school alone is seven hundred and fifty-eight. Yet it appears that only about four per cent of the teachers in the State have been under normal-school instruction. What becomes of the rest of the graduates? One of the New York school reports says, "The graduates of the Normal School do us but little good," and hints that the attraction for the girls is the improvement of their matrimonial prospects. In the reports of our own State, we find a good deal of general enthusiasm, but nothing definite as to final results. What anybody can see for himself in the villages and farm-houses is an increased number of young ladies of a dressy turn, who read the magazines, and perhaps write in them, — who often have delicate health, not often much capacity or taste for the primary duties of women. There is a marked increase in the number of candidates for any genteel employment that does not require much hard work, but not a very manifest advance in the application of trained intelligence to the arts of life.

The sort of ambition which these higher schools and "academies" often nourish, and which has a considerable share in keeping them up, has no doubt a good side to it. It is a vanity of comparatively a high kind; still, so far as it is vanity, it will be apt to bear the fruits of vanity; and in this connection, the hint of an experienced observer like Professor Atkinson (Lecture, p. 41), that it leads in many cases to the worst mischief, deserves attention. At any rate, there is no reason why

the public should pay for gratifying it, under the pretence of improving the schools in which the public are directly and generally interested.

The defects of the school system our author considers to be directly traceable to neglect of the primary schools, — in which alone nine tenths of the people get all the education they have, and with which alone therefore the State has properly anything to do, — in favor of the advanced or "graded" schools. These he thinks ought to be left to private enterprise. And certainly there is a manifest distinction between the two classes of schools as regards their claims to public support. The community has a direct interest in giving to every one of its members to whom it can be given so much elementary instruction as shall put within his reach the means of qualifying himself to discharge the duties of citizenship; and there is little danger of being too wholesale or indiscriminate here, or of doing the work too thoroughly, for its efficiency depends on its thoroughness. An education which is not thorough so far as it goes, gives only a stunted and abortive product, and fails of the best fruit of education. We must all be smatterers in many things; but every man must at some point or other touch the hard pan of unyielding reality, and not be content to let *well enough* alone, — else he lacks foundation, he is a waverer, never sure of himself, and never surely to be relied on to stand to any conviction he may have. For it is the moral element that avails, — not what is learned, but the temper in which it is learned; and the habit of looking only to what will serve the turn pervades and vitiates the whole fibre of the mind.

But when we come to special preparation for particular tasks or exceptional positions, the case is entirely changed. Here indiscriminateness is an absurdity; there ought to be special qualification as a reason for every step, and the danger from an indiscriminate and wholesale system is immense. No risk need be incurred in strengthening the child's limbs to run his future course; but if we are to take him up and carry him forward on his course, we ought to make sure that it is the right course, else every step may be a step farther out of the way. This, however, is just what cannot be done by the machinery of public administration, especially in a democracy. Democracy is not a good contrivance for administration; in fact, it is probably the worst for that purpose of all forms of government. Perhaps the strongest proof of the inherent virtue of our democracy is, that it can bear such bad administration as seems to be inevitable so soon as we get beyond the sphere of the direct personal interest and immediate agency of the whole people into the sphere of officials. Upon this point, it seems to us, our author has not made all that he might of his case. He puts it upon the diversion of public sympathy and support from the primary to the

higher schools; but this might not be of itself a sufficient objection. The high schools, were they really higher, that is, if they taught better what it behooves everybody to learn, even if they did not come into so direct contact with the people, might yet have an indirect effect greater than anything that could be effected directly. The highest motives owe their efficiency with the mass of mankind to their indirect, and as it were refracted influence, in places where they have little direct effect.

But the real evil, as it seems to us, is that the so-called advanced education often does not aim at education at all, but at something else,— at a longer list of accomplishments, excellent perhaps in themselves, and in their proper place important and essential, but, when used in this way as costume or decoration, sure to be the cover for pretence, to distract attention from the true ends of education, and to substitute a vague wonderment for the intelligent interest of the public. The radical ailment which our author finds everywhere in the existing state of things is not so much a want of action on the part of the community, as a want of interest. People give their support, but in a heedless, unsympathetic way. They are generally ready enough to vote money for the schools, and they look (p. 47) with a "misty, indefinite respect upon the array of officials, and the manifold involutions of the red tape that connects them together; but all this will not begin to compensate for the absence of a hearty good-will towards the school, of a discriminating appreciation of its value to them and their children, or of a disposition to co-operate actively in measures which look to its efficiency and gradual improvement." This want of appreciation, however, is not necessarily connected with any particular list of studies, nor does it follow at all from the fact that the studies are too much advanced for the majority of the people. It is not necessary to understand farming in order to know a good farmer from a bad one. Our fishermen appreciate Agassiz's mastery readily enough without much knowledge of ichthyology. Superiority of attainment is no bar to a sympathetic appreciation,—on the contrary, assures and strengthens it. But it is easy, under guise of something superior and advanced, to set up, and even to get accepted by the people, something which is merely remote and in no vital connection with their thoughts and feelings,—in which they take no real interest; but they accept it as an idol, their adoration of which accordingly will not be of an edifying kind. The notion of a higher culture to be bestowed by the more enlightened in the community upon their less favored brethren is plausible, and, in one aspect of it, sound. But then it implies that mankind are really brethren, partakers of one spirit and not merely of one animal organization; so that whatever is

truth for one may be felt as truth by every other. The education of the race by superior men is not likely to go out of fashion, for it is the way, and the only way, in which civilization advances; but the method of this education does not consist, when it is at its best, in substituting the thoughts and feelings of one class of persons for the thoughts and feelings of another class, but in a more just and more vivid appreciation and more thorough realization by the few of the thoughts and feelings of the many; and the means accordingly will not be the ordinary machinery of the State, for that is applicable only where men can be lumped and treated in the mass, as we treat paupers and criminals. Exceptionally, this may be needful; as, for instance, in dealing with savages, it may be needful to make them conform to some extent to civilized practices, without much regard to their views or feelings. But such a mode of proceeding is at best provisional, and only preliminary to any education, for to the same extent it ignores what is educable. You cannot educate a corpse or a machine, but only a will; and education, in proportion as it is passively accepted, instead of being the object of a free and intelligent interest, ceases to be education.

The notion of a state education, therefore, seems to rest on a fallacy; it must be either useless or else injurious; it is either a mere form, and can accomplish nothing, or else it must be obstructive. Take, for instance, the view lately set forth, in his usual attractive style, by Mr. Matthew Arnold, in the essay entitled "A French Eton." His proposal, reduced to its simplest terms, is that the middle class in England shall use its control of state action to improve middle-class education. The middle-class spirit, he says, is full of rawness, hardness, and imperfection; it is under-cultivated, intolerant, bitter, unlovely; it cannot be safely allowed to have its own way, but needs to be transformed by being liberalized, enlarged, ennobled. But by whom is the transformation to be effected? Not by the actual governing class, the aristocrats, for they are all for letting everything alone. Not by the voluntary combination of the middle class itself, for voluntary combination is casual and precarious. It must be, he says, by public agency, "by beneficence working *by rule*." But why should that be incompatible with voluntary combination? Why may not what is voluntary be at the same time done by rule? in other words, Why may not the free-will of the people be the rule? Why should it be the will of somebody else, or theirs of another time? What Mr. Arnold proposes amounts to this, — that the middle class in its corporate capacity should rule to their good the middle-class considered as individuals. But this expedient, though Mr. Arnold treats it as an experiment to be tried, is extremely familiar to us in America. We acknowledge its value, its indispensableness in certain cases; but

our experience has not led us to extend, but rather to contract, the sphere of its operation. We have found it useful, but dangerous. It is good for the custom-house, and for carrying the mails, though even here we feel its dangers; it is good, in short, for the daily *chores* of life, which must be done and may safely be left to machinery, but not for the more vital functions; so that we have restricted it more and more, and even recklessly as it has sometimes seemed, in our anxiety to keep it from intruding where it might do fatal mischief. We treat it rather as an indispensable evil, than as a good; not at all as beneficent where it can be avoided. The danger apprehended, however, is not, as Mr. Arnold seems to fancy it is, the danger of active interference on the part of the state with the liberty of individuals, but of apathy, the creeping in of a lazy habit of regarding public affairs as if they concerned each man only in his corporate capacity, as tax-payer, voter, legislator, or other merely public function, and not as an individual among individuals. Whatever threatens this result, whatever threatens to substitute the tax-payer for the man, to make private persons look upon public questions as something which they do not need to understand, — as the business of a board or of a state official, and not their business, — is much more to be dreaded than almost any conceivable faults of administration; it is the beginning of ossification, or of "fatty degeneration," in the body politic.

Our tendency from the beginning has been towards a state of things in which the individual is not to be taken care of, but to be forced to take care of himself, and in which his participation in public affairs is not limited to concurring from time to time in a rule made for the general guidance, but is felt to bring with it an unceasing personal responsibility for the rule, — that it shall not be fixed once for all, but shall keep pace with his advancing convictions. The early legislation for the schools in the Puritan times was stringent and paternal in form; the citizens were compelled to teach their children and apprentices, and the towns to make provision for schools. But what was it that was to be taught? Not merely a catechism or a code; these could have been taught more easily without teaching the children to read or write, and more safely, for the danger from the paternal point of view was, to say the least, as great from too much as from too little learning. For with these potent arts a power was placed in every hand against which no institution, no authority, was safe, but thenceforth must stand upon truth and reason, and not upon reverence or upon force. Individual conviction was placed first, and the corporation second. It may be said, nothing of the kind was intended by the Puritans; at any rate this was what they did, and this made what was done memorable. And their

tone and the way they went about the work show some instinct at least of what they were doing. What gave grandeur to the idea of the New England school system was the scope of it. It was not a special provision for a class, nor even for a community, but it was put at once on the ground that education is needful to all men, everywhere, and the want of it barbarism. And had the object been a system of beneficence working by rule, it would have been better to place the whole matter in the hands of a compact body of state officials, fully possessed of the rule and expert in applying it, instead of leaving it to be spelled out anew for every fresh case. This is what the Roman Catholic Church does; the Church is sparing of principles, careful in the application of them, and prefers trusting to the trained intelligence, tact, and cumulative experience of a body of functionaries devoted to the purpose, rather than to individual initiative; very well disposed, accordingly, towards education, meaning by that the imparting of authoritative opinions, but instinctively afraid of everything that tends to encourage the formation of opinions by the mass of the ignorant and vulgar. This method has its peculiar advantages; it is no doubt the best way of getting any given piece of work done. It is easy to point out the superiority of a corps of experts for the performance of any branch of the public business; only thus can business be thoroughly organized. The drawback is, that the function becomes identified with the functionary,— his faults become part of the system; nor is this the worst, for not only do his vices and crotchets become rooted and organic, but even his virtues are obstructive, — the nicer the adaptation, the more incapable of expansion and the more inevitable the tendency to routine or to fanaticism. It is a choice of evils; one set of dangers or the other must always be encountered. We have made an election, and we cannot expect to unite inconsistent advantages.

In a democracy things must be done democratically, that is, substantially, by those whose interests are involved, or they soon come to be done badly. The original scheme of free schools in Massachusetts had nothing in it of the character of a state education; the officials were town officers, and the money was raised and spent by the towns. In Plymouth Colony, a free school having sprung up apparently without any official sanction whatever, before the townships had acted on the recommendation of the General Court to set up a schoolmaster in each town, the Court, in aiding the school from the profits of the Cape fishery, declared that they did so only "until such time as that the minds of the freemen be known concerning it."

The subject is too wide to be more than touched upon here, but it is worth considering whether the apathy and want of interest complained

of, and the want of vitality in the schools, may not be in some measure the consequence of departure from the original idea, — whether, in our zeal to help forward the good cause, and to re-enforce it with material means and appliances, we have not partly smothered its spirit. Education in Connecticut was said (and the charge was not denied by those best qualified to judge) to have been "put to sleep" by the State School Fund when it became so large as to supersede the necessity of taxation, and to have awakened only when taxation was resumed. We may think ourselves safe enough in Massachusetts; but the parental and bureaucratic spirit, where it has any foothold, is plausible and seductive, and needs watching. At all events, the States where the school fund is relatively more considerable, and especially those where large tracts of land have been given by the general government in aid of education, if they have not the good fortune to squander them before they become valuable, will need to exercise this vigilance. And in this connection some of our author's statistics, although, as already hinted, they are neither so full nor so methodical as could be wished, seem to us instructive. As to the four States which he particularly examines, he tells us that (p. 42), "without regarding fractions, we may say that *Ohio* furnishes one teacher to every thirty-four pupils, at an expense of $4 for the year for each child. *Pennsylvania* allows one teacher to every forty-three pupils, at $3.75 for each child. *New York* gives one teacher to every thirty-four pupils, at $3 each; and *Massachusetts* one teacher to every twenty-five pupils, at $8 each." As to the proportion paid by the State, he gives us no available figures for Pennsylvania or Ohio, and for New York only in the "rural districts" (p. 104), where (in 1864?) there was paid apparently about $1.70 from the State funds, and $1.30 raised by taxes and rate-bills for each child. In Massachusetts there was paid in 1863 from the State fund about twenty-one cents for each child, or say one sixteenth as much, compared with the whole sum expended, as in New York. In New York (1863) "not two thirds" of the children reported between four and twenty-one were at school any portion of the year, and it seems by an average of five years that, of those that go at all, a majority go but for a very short period each year. In Massachusetts the average attendance (1862) was about four fifths of the number returned between five and fifteen.* In Ohio, where the income of the school fund is one and a half millions, somewhat more than one third of the children between five and twenty-one

* In 1864 – 65 more than thirteen fourteenths of all persons returned in Massachusetts as between the ages of five and fifteen attended the public schools in winter, and more than nine tenths in summer. (Twenty-ninth Annual Report of the Board of Education, p. 13.)

attended school "once or more during the year." As to other States we have no data at hand, except a few in the "American Journal of Education," Vol. I., whence we extract the following (1854). In North Carolina the school fund amounts to $1,700,000; in Texas an income of $115,000 were distributed among the schools, concerning whose operation there is only the remark that there is "no efficient system of common schools" in the State; in Alabama there were distributed $237,515, raised by taxes $1,300; in Mississippi (1852) $300,000 were distributed. In New Hampshire the whole capital of the permanent school fund is $16,435; raised by taxes for district schools, $231,434. Without making too much of these scanty data, or going into the questions of cause and effect, they suggest, it seems clear as a matter of fact, that State aid does not of itself lead to good results, and that the best results are reached where the original spirit of reliance upon the towns most prevails. The real efficiency of the schools depends everywhere, at last, upon the personal interest they excite in those who use them; and this will naturally be greatest where the money spent comes directly from their own pockets. The notion of superseding this sole motive-force in any degree by a piece of machinery that will work of itself is delusive and dangerous.

There is the same fallacy in a reliance on the State as in reliance on a monarch or a patron; it seems so much force over and above, but the force is wasted in friction and reaction. Our fathers exiled themselves to escape from a state system of religion, and there is no reason why we should look with more favor on a state system of education. This does not mean that men ought not to combine for these ends, but only that they are not to be undertaken by one set of men for another set; that the combining agency is not to be any external influence, but an inward attraction of each to his proper affair and to others as united in a common interest. The following extract from the Report of the School Committee of Concord for the year 1860–61 seems to us a good summary of what is to be said from this point of view: —

"We see no reason why the Concord schools should not be made to cover all and more than all that is done in the graded schools and colleges of the State. There is much illusion about our high schools and so-called universities. The sciences and the arts taught there can usually be better learned elsewhere by the earnest student. They give golden opportunities, but throw a thousand obstacles in the way of using them. Worst of all, they seem to stifle that enthusiasm for learning and virtue, without which the highest culture is impossible. A Massachusetts township, with its central village, lying in partial seclusion, yet partly connected with the great world, is one of the best universities, or may be made so. In it, by a careful and well-pursued method, we may train our children and youth to far better purpose than most

colleges or cities can do. Nor let it be supposed that such a plan would require great expense, or a condition of things very different from the present. A permanent school committee, representing all interests and all sections of the town; permanent teachers, who could see the fruit of their labors year after year; a cordial interest of all the citizens in the liberal culture of the children, with a little change of method and a little lengthening of the time for which children shall be kept at school, — would gradually give us advantages greater than any public or private course of instruction in the State now offers."

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9. — *Ecce Homo: a Survey of the Life and Work of Jesus Christ.* Boston: Roberts Brothers. 1866. 16mo. pp. 355.

It is not surprising that this book has excited unusual interest and curiosity in England. English thought upon all topics of theology and religion is for the most part so timid, formal, and empty, that an expression of independent, original opinion and reflection is a rarity fitted to stimulate the attention of a public weary with the repetition of stale commonplaces and the display of shallow arguments. Men starved with feeding upon husks eagerly turn to what has the appearance at least of substantial nourishment.

In America the case is so different, there is here so much independence and sincerity, even if little depth, of religious thought, and such activity of religious inquiry, that a book like this would hardly be regarded as a remarkable phenomenon. Our interest in it is mainly a reflection of that felt concerning it in England. For it does not, like "Essays and Reviews," definitely mark a stage in the progress of thought and in the method of the treatment of religious subjects; nor is it, on the other hand, like Robertson's Sermons, the individual expression of a universal piety and humanity.

"Ecce Homo" deserves neither the eulogy nor the abuse which it has received. Lord Shaftesbury's curiously metaphorical denunciation of it as "that most pestilential book ever vomited, I think, from the jaws of hell," displays rather the lively provincial temper of a churchman than the clear and meditated judgment of a critic. But the almost equally ardent laudation that has been lavished on the volume is equally remote from the truth.

Few of the author's readers in this country are likely to share in his feelings, as set forth in his Preface, "that there was no historical character whose motives, objects, and feelings remained so incomprehensible" as those of Christ. If any such there be, they will be found among those whose opinions concerning Jesus have been drawn, whether con-

sciously or not, from the misstatements, inventions, and unwarranted traditions concerning him and his doctrine which have been current in the world almost ever since his death. But it may well be questioned whether a person in the attitude of mind resulting from long training in the confusions and follies of ecclesiastical dogma concerning Christ is competent to undertake and conduct to good result an inquiry as to his real character, intentions, and circumstances. The judgment of such a person is almost inevitably imperfect. He cannot divest himself of the influence of former error. The most candid disposition to discover and to state the truth will only partially avail him in resistance to the unconscious warpings of ingrained prepossessions. The simplicity of the truth will seem to one bred in the abundance and mystery of traditions and dogmas an objection to the truth itself. Its very plainness will in his eyes cast a doubt upon its meaning. It will appear to him impossible that the life, character, and teachings of Christ, which he has learned to regard so differently, should be so simple as they are. He will be confused in the entanglements of falsehood and error. He will be likely to substitute for the laboriously elaborated theories to which he has been accustomed, but which he has come to reject, new fallacious hypotheses, the offspring of his own fancy and of the prevailing intellectual disposition of his time. The tendency of superstition is constantly to reproduce itself under new forms. The eye accustomed to the dimness of twilight finds the pure brightness of day for a season unattractive.

The author of "Ecce Homo," in his endeavor to make the historic character of Christ comprehensible, has added only one more work of fancy to the many that have preceded it. Much of his volume, and the ablest part of it, is occupied by an exposition of the moral teachings of Christ. In this discussion there are many just, and a few original and striking reflections. But the style is diffuse, and the fluency of diction often conceals and aggravates a deficiency and obscurity of thought. Clear matters are clouded by an assumption of philosophical profundity, and familiar truths are disguised by a loose and inexact use of modern phraseology. But that portion of the book which is an attempt to present a view of the personal character of Christ is open to far graver criticism than this. It is here that the peculiar mental incapacity, originating in established habits of thought and modes of belief, is most apparent.

The credit which the author deserves for the independence and freshness of his speech is greatly diminished by the fact that he has not given to his subject either the exact consideration or the thorough investigation which it especially requires. In his survey he has omitted much that is essential alike to accuracy and to comprehensiveness of

view. It is easy to be independent, if one neglects to consider the force of other conclusions than one's own; and it is not difficult to be original, if one bases his argument upon assertions instead of reasons.

The main defect of this book as a study of the life of Christ arises from a vice very common among writers upon theological topics, — confusion in the understanding and use of direct and metaphorical language. The whole history of Christian doctrine, or what has been held under that name, affords continual illustration of the evil springing from this source. The metaphorical language with which the Gospels abound, the almost constant use of metaphor by Christ, both in speaking of himself and in the statement of his doctrine, have perhaps been the most fertile source of error concerning him and his religion. They have led to opinions the most contrary to truth. It may be said, without exaggeration, that most of the creeds which have enchained men's souls, and deprived them, in the name of Christianity, of the liberty of Christ, have sprung from a misunderstanding and abuse of metaphorical language. The author of "Ecce Homo" shows in large measure the intellectual effect produced by the long-established habit of thus misemploying and misunderstanding figures of speech. His volume is in great part an exposition of results drawn from the literal interpretation of figurative language. And from this cause it wholly fails to present a consistent picture of Christ as an historical character. The image it produces is vague, unreal, essentially incredible, and unhistorical.

To exhibit the grounds of this criticism in detail would require us to traverse the whole field occupied by the work. But a sufficient illustration of the author's method and results may be afforded by a single notable example. Even this, however, we must present with a brevity disproportioned to the space which the topic occupies in the book itself.

On page 31 the statement is made that Christ "conceived the theocracy restored as it had been in the time of David, with a visible monarch at its head, and that monarch himself"; and upon this assertion rests a great portion of the author's theory concerning Christ and his doctrine. Although these words, taken in their obvious meaning, seem to contradict some of the plainest of the words of Christ concerning himself, — as, for instance, his explicit declaration that his kingdom was not of this world, — they are modified by other assertions of the author, without however having their meaning brought into much nearer conformity with the truth. Thus the chapter on "Christ's Royalty" closes with the sentence: "We conclude, then, that Christ in describing himself as a king, and at the same time as king of the kingdom of God, — in other words, as a king representing the majesty

of the invisible king of a theocracy, — claimed the character first of Founder, next of Legislator, thirdly, in a certain high and peculiar sense, of Judge of a new divine society." Now, although these words are susceptible of an interpretation perhaps conformable to the claims which Christ asserted, it is plain from other portions of the book that the author really considers the metaphor of Christ's royalty as a literal fact. This leads him to expressions concerning Christ which are discordant, not only with the words, but with the spirit of the Saviour. He speaks of him, for instance, as making "unbounded personal pretensions" (p. 32). And in a very remarkable passage he says, "Let us pause once more to consider that which remains throughout a subject of ever-recurring astonishment, the unbounded personal pretensions which Christ advances"; and he goes on to say, "If we believe St. John, he represented himself as the Light of the world, as the Shepherd of the souls of men, as the Way to immortality, as the Vine or Life-tree of humanity." That these expressions of the highest faith in the divine origin and vital power of the truths which he was setting forth to men in his words and in his life should be spoken of as exhibitions of "the unbounded personal pretensions of Christ," betrays at once an incapacity properly to interpret language, and an almost equal incapacity properly to use it. It is difficult to imagine any just application of such words as "unbounded personal pretensions" to Christ. He spoke of himself as the Light of the world; but he said: "I do nothing of myself, but as my Father hath taught me I speak these things." "If I honor myself, my honor is nothing." "My doctrine is not mine, but His that sent me." He said, "I am the bread of life"; and added, "I came down from heaven, not to do mine own will, but the will of Him that sent me." He repeated, "I can of mine own self do nothing."

The tendency to regard metaphorical language as literal statement is accompanied in the author of "Ecce Homo" by a tendency to turn plain into figurative language. He speaks of "the kernel of the Christian moral scheme," the "end which Christ proposed to himself," as being what he calls "the enthusiasm of humanity." In plain words, this is what Christ called *love;* the love of man as man raised to an enthusiasm. It is perhaps owing to the fact that the author excludes or intends to exclude from this volume "Christ as the creator of modern theology and religion," that is, all consideration of Christianity in its teaching concerning God, that he makes this "enthusiasm of humanity" occupy a place in his scheme quite disproportionate to what anything corresponding to this vague neologism occupied in Christ's teaching. He says, for instance, "The Christian law is the spirit of Christ,

that enthusiasm of humanity which he declared to be the source from which all right action flows. What it dictates, and that alone, is law for the Christian." (p. 218.) We are at a loss to know where this declaration of Christ is to be found; and the view of the author appears still more extraordinary, when we find him asserting as "a fundamental principle," "that Christianity is natural fellow-feeling, or humanity raised to the point of enthusiasm." This is a definition of Christianity unlikely to satisfy Christians, and incapable of conveying any distinct meaning whatsoever. The shallowness of thought and the looseness of assertion manifest in such phrases as these pervade the whole treatment of this subject. Thus, on page 275, the author declares, with what seems like the utterance of delirium, that "Christ meant what he said, and said what was true, when he pronounced the enthusiasm of humanity to be everything, and the absence of it to be the absence of everything." And in a similar vein of extravagance, affording at the same time a very striking instance of the author's confusion in interpreting metaphorical language, is the passage in which he cites the words, "Except ye eat the flesh and drink the blood of the Son of man, ye have no life in you," proceeding to explain them as follows: "What Christ meant by *life* is not now difficult to discover. It is that healthy condition of mind which issues of necessity in right action. The health of the soul we know Christ regarded as consisting in a certain enthusiasm of love for human beings as such."

It was no doubt, in one sense, a healthy condition of mind which Christ required of the lawyer who asked what he should do to inherit eternal life; but the health of the soul is something more than "a certain enthusiasm of love for human beings as such." When Christ asked the lawyer, "What is written in the Law?" his answer was, "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself." And Christ then said to him, "Thou hast answered right: this do and thou shalt live." The enthusiasm of humanity is hardly a sufficiently ample phrase to embrace the first of the two commandments on which hang all the Law and the Prophets.

For a book not intentionally written in an irreverent spirit, this volume is unusually open to the charge of handling the most serious and sacred things in so careless a manner as to produce the effect of irreverence, and violate every canon of good taste. These broad, unsupported assertions of what Christ meant and said might be well enough if the author professed to be inventing a fictitious Christ, but are gravely objectionable in a work professing an historical purpose and method; but even these are less offensive than certain passages where the author's

fancy has led him into a license of expression such as a refined scoffer at religion would hardly imitate. Such, for example, is the passage in which the Lord's Supper is compared to a club dinner, and it is said (we cite the words as an illustration that throws much light on the character of the author's mind) that "God and Christ are members of the club." There is no palliation for this offence against good taste.

Such a book as "Ecce Homo" can have no marked and permanent influence on thought. Its value as a protest against ecclesiastical tradition will not preserve it. It is but one piece of evidence among many of a growing independence of religious thought. When thought becomes really free, and when the tyranny of creeds and superstitions is more completely broken, the main difficulties in comprehending the motives, objects, and feelings of Christ as an historical character will disappear, and such books will no longer be written or excite attention.

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10. — *The History of the Episcopal Church in Connecticut, from the Settlement of the Colony to the Death of Bishop Seabury.* By E. Edwards Beardsley, D. D., Rector of St. Thomas's Church, New Haven. New York: Hurd and Houghton. 1866. 8vo. pp. xxix., 470.

This volume is the fruit of careful studies and laborious research. It is written in a candid spirit, and the reader will not hesitate to accept the author's assertion, that, "while I confess a strong attachment to the Episcopal Church, I am not conscious of any undue partiality in my statements." The book is a valuable contribution to local and ecclesiastical history. The most interesting and instructive portion of it to the general reader is the part which treats of the relations of the Episcopal clergy and the leading members of the Church to the events which preceded and brought on the Revolution, their feelings in regard to the popular cause, and their course during the Revolution itself. It was fortunate for America that the Episcopal Church was not at that period possessed of any considerable strength in the Northern Colonies, and had not struck its roots deeply into the American soil. "If they," (the members of the Episcopal Church,) says Dr. Beardsley, "desired the suppression of the rebellion, and the establishment of the King's authority in the land, it was because they felt that Churchmen, as the weaker party, could only in this way hope for encouragement and permanent security. They generally conceived the measures of the Colonies to be unwise, if not unjust, and destined to end either in defeat or ruin on the one hand, or the overthrow of the Church on the other."

Seabury, afterwards the first Bishop of Connecticut, was "notoriously disaffected to the American cause," and was made chaplain of the "Loyal American Regiment." The Episcopal Church in America was still the Church of England, and its love and loyalty were given to the mother land. Even yet, if we may judge from the proceedings of the recent General Convention, the Church has not learned the full lesson of patriotism.

Dr. Beardsley's style is simple and clear, his narrative is well conducted, and his reflections are sensible and to the point. The volume is very handsomely printed.

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11. — *The Differential Calculus: with Unusual and Particular Analysis of its Elementary Principles, and Copious Illustrations of its Practical Application.* By JOHN SPARE, A. M., M. D. Boston: Bradley, Dayton, & Co. 1865. 12mo. pp. xix., 244.

AN eccentric work, written in execrable English, and meant to help the tyro over the elementary difficulties of the Calculus by a profusion of practical problems, in which "the work aims at cultivating and prolonging the enthusiasm of the student, by clothing his conceptions of quantity in the garb of romance, or something of a supposable human experience. These conceptions may, with the more interest, be erratic and fanciful as to economical life, without ever filling or exhausting the generality of pure mathematical conception."

The difficulties which this work is fitted to overcome are so idiosyncratic, that it will fail, we think, to meet the common needs of the student, who will find superadded to the difficulties of "pure mathematical conception" the perplexities of the author's practical problems.

"The present treatise on the Differential Calculus is believed to be the first, of any character, that has been written and published in America as the special topic of a volume; and the first, so far as known to the author, ever published, that professes the character of the present one." It must be conceded that there is a sort of negative merit in the self-restraint which has saved the Integral Calculus from the author's romantic explanations. We can imagine no other reason why the limits of the work should be mentioned, but for the purpose of apologizing for them.

The author thinks he has proved that several American treatises are at fault in their treatment of certain elementary problems in the Calculus; but he is generous enough not to expose them by name.

LIST OF SOME RECENT PUBLICATIONS.

1. History of England from the Fall of Wolsey to the Death of Elizabeth. By James Anthony Froude, M. A. Volumes V. and VI. New York: Charles Scribner & Co. 1866. 8vo. pp. 495.

2. History of Friedrich the Second, called Frederick the Great. By Thomas Carlyle. In Six Volumes. Vol. VI. New York: Harper and Brothers. 1866. 12mo. pp. vi., 608.

3. Life of Emanuel Swedenborg. Together with a brief Synopsis of his Writings, both Philosophical and Theological. By William White. With an Introduction by B. F. Barrett. Philadelphia: J. B. Lippincott & Co. 1866. 8vo. pp. 272.

4. Life of Benjamin Silliman, M. D., LL. D., Late Professor of Chemistry, Mineralogy, and Geology in Yale College. Chiefly from his Manuscript Reminiscences, Diaries, and Correspondence. By George P. Fisher, Professor in Yale College. New York: Charles Scribner & Co. 1866. 2 vols. 12mo. pp. xvi., 407; ix., 408.

5. James Louis Petigru. A Biographical Sketch. By William J. Grayson. New York: Harper and Brothers. 1866. 12mo. pp. xvii., 178.

6. Temperance Recollections. An Autobiography. By John Marsh, D. D., Secretary of the first three National Temperance Conventions, and thirty years Corresponding Secretary and Editor of the American Temperance Union. New York: Charles Scribner & Co. 1866. 12mo. pp. 373.

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8. War of the Rebellion; or Scylla and Charybdis. Consisting of Observations upon the Causes, Course, and Consequences of the late Civil War in the United States. By H. S. Foote. New York: Harper and Brothers. 1866. 12mo. pp. 440.

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14. Literature in Letters; or Manners, Art, Criticism, Biography, History, and Morals, illustrated in the Correspondence of Eminent Persons. Edited by James P. Holcombe, LL. D. New York: D. Appleton & Co. 8vo. pp. xvi., 520.

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16. Old New York: or Reminiscences of the past Sixty Years. By John W. Francis, M. D., LL. D. With a Memoir of the Author, by Henry T. Tuckerman. New York: W. J. Widdleton. 1866. 16mo. pp. cxxxvi., 400.

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52. The Lost Tales of Miletus. By the Right Honorable Sir Edward Bulwer Lytton, Bart., M. P. New York: Harper and Brothers. 1866. 12mo. pp. xiv., 182.

53. Ballads and Translations. By Constantina E. Brooks. New York: D. Appleton Co. 1866. 12mo. pp. 144.

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61. Inner Rome: Political, Religious, and Social. By the Rev. C. M. Butler, D. D. Philadelphia: J. B. Lippincott & Co. 1866. 16mo. pp. xvi., 351.

62. The Great West: Railroad, Steamboat, and Stage Guide and Hand-Book, for Travellers, Miners, and Emigrants to the Western, Northwestern, and Pacific States and Territories. With a Map of the best Routes to the Gold and Silver Mines. By Edward H. Hall. New York: D. Appleton & Co. 12mo. pp. 181.

63. Patriotic Eloquence; being Selections from One Hundred Years of National Literature. Compiled for the Use of Schools in Reading and Speaking. New York: Charles Scribner & Co. 1866. 12mo. pp. xii., 334.

64. The Structure of Animal Life. Six Lectures delivered at the Brooklyn Academy of Music in January and February, 1862. By Louis Agassiz. New York: Charles Scribner & Co. 1866. 8vo. pp. viii., 128.

65. Geological Sketches. By Louis Agassiz. Boston: Ticknor and Fields. 1866. 16mo. pp. iv., 311.

66. A Text-Book on Anatomy, Physiology, and Hygiene. For the Use of Schools and Families. By John C. Draper, M. D. With 170 Illustrations. New York: Harper and Brothers. 1866. 8vo. pp. xviii., 300.

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ART. I. — 1. *Storia della Letteratura Italiana.* Di PAOLO EMILIANI-GIUDICI. Firenze: Poligrafia Italiana. 1854.

2. *Della Letteratura Italiana: Esempj e Giudizj.* Esposti da CESARE CANTÙ. Torino: Presso l' Unione Tipografico-Editrice. 1860.

3. *I Poeti Patriottici dell' Italia.* Studio del PROF. GIUSEPPE ARNAUD. Milano: Serafino Muggiani e Compagnia. 1862.

4. *I Contemporanei Italiani: Galleria Nazionale del Secolo XIX.* Torino: Dall' Unione Tipografico-Editrice. 1862.

5. *L'Italie est-elle la Terre des Morts?* Par MARC-MONNIER. Paris: Libraire de L. Hachette et Cie. 1860.

6. *Italics.* By FRANCES POWER COBBE. London: Trübner & Co. 1864.

WE think there is no good history of Italian literature which makes mention of writers later than Giacomo Leopardi, though there are several critical works which go far to supply the want felt in this direction. It seems to have been the wise resolution of Emiliani-Giudici not to venture upon notice of contemporary authors; and he, whom we had willingly trusted in most things, speaks only of such poets of this century as were dead at the time his book was written. You feel in coming to the end of his work, and thence setting out alone through Italian literature, that, without his clear sight, cordial criticism, and skilful judgment, the way is to be much guessed at, and often lost. But it had been to little purpose that he led you through five

centuries, — from Dante to Foscolo, — if you had not learned to distinguish in some degree for yourself the true from the false, the great from the mean, in Italian letters, after he ceased to guide you. Perhaps, therefore, the best preparation for acquaintance with modern Italian poetry is thorough study of the critic who scarcely deals with it as a fact, but discusses it as a possibility. The absence of extracts from the authors criticised is a defect in his work to be chiefly felt by non-Italian readers, but it is to be overcome in some degree by reference to the history of Italian literature by Cesare Cantù, in which numerous examples are given with considerable judgment, so far as all but contemporary poets are concerned. This history, if it were not so large, would repay study as the product of an utterly commonplace mind, imbued with the very best principles. The never-failing want of originality, which we have felt in all the books of Cantù we have opened, (and we may own, without a blush, that we have not opened half of them,) assumes here almost a positive quality, and it is the author's singular misfortune, when he comes to criticise the poetry of the present day, that his gift of selection, faithful enough till he reaches this period, abandons him, and the extracts which give value to the other parts of his book in this part are of slight use. He seems to have chosen from the works of the living poets whatever is least characteristic and least interesting, and from such writers as Giusti, Dall' Ongaro, Prati, and Aleardi there is scarcely a line which reveals the striking peculiarities of their thought and style.

It is with absolute relief that you turn from Cantù's volume to a little book like that of Giuseppe Arnaud, in which the qualities of the recent poets are brought out with striking relief on a ground of generous and original comment. His critique of the patriotic poetry of the Italians forms the best continuation of Giudici's work; and though you feel that there is an unconscious tendency to depreciate such poets as are not positively and directly patriotic, yet these poets are so very few in number that you feel also a security that very slight injustice is done. The book has, moreover, the advantage of occasional and judicious excerpts from the authors criticised, and presents an admirable, though rapid, view of all

the Italian poetry from the time of Alfieri to the present day, including the last poem of Aleardi and the newest flight of Dall' Ongaro's "Starlings." Even in the supreme moments of sentence, when criticism may be forgiven for a certain big-wiggedness, for bullying the prisoners, and browbeating the bar, our critic does not forget to be modest.

We suppose that it would not be quite fair to criticise Monsieur Marc-Monnier as a critic, and his constant good-nature makes us loath to criticise him at all. But it is certain that, if there is another Frenchman in this world more disagreeable than the Frenchman who believes that nothing is great which is not Parisian, it is that rare Frenchman who has found out the national mistake, and desires to convince his compatriots of their error. He feels that, however great the newly discovered un-Gallic grandeur may be, it is not at all comparable to his own grandeur in discovering it. He voyages unknown seas to find it, and he consequently wishes to give his own splendid name to the continent when he reaches it. Certainly it is a new world, but is he not Columbus?

Sitting in a corner of Italy, (which it seems the French nation had the amiable habit of calling the Land of the Dead,) Monsieur Monnier takes the Italian literature of this century upon his knee, and discerns that it is a Christmas pie of incredible depth and relish; and breaking through the crust of a language supposed to be devoted solely to the libretti of operas, he pulls out one plum after another, with never-failing cries of exultation in the remarkable genius which divined their existence. He lauds this pie with deafening uproar; he praises and patronizes these plums with a noble condescension: "Ah! my great fellow-countrymen, you supposed this pie was no better than the charred pastry which they dig out of Pompeiian ovens, and that the plums in it were so many dead coals! But behold history, but behold poetry, but behold philosophy, but behold political economy! Death of my life! behold fresh and honeyed plums plucked yesterday from the living tree!"

It is impossible to deny that Marc-Monnier has written a very lively, brilliant, and useful book. His biographical notices and personal sketches of the living authors are valuable: but his criticism, being more a defence than an analysis, discredits it-

self; and even if, after reading his book, you did not doubt the unexceptionable greatness of all the Italian writers of this century, you must hate them for their abominable, superhuman perfection. In looking through *Italie, est-elle la Terre des Morts?* you begin to appreciate the feelings of the good citizen who ostracised Aristides for his integrity; and you are not at all sorry that so many of these faultlessly great poets have suffered in prison and exile.

In prison and exile you find them to have been nearly all, (for reasons to come presently,) both from Monnier's book and from the series of popular biographies to which we have had frequent occasion to turn for information not to be found elsewhere. The "National Gallery of Contemporary Italians" is formed of some fourscore little books, uniformly printed, and sketching, with a curious uniformity of style, the lives of all distinguished Italians, warriors, statesmen, and *literati* of the present century. Each book or number of the series contains some eighty or ninety pages of letter-press, and a steel-plate likeness (more or less unlike) of the biographical subject. If the hero is a man of letters, the writer usually gives a *résumé* of the titles and nature of his works, while very intelligently developing the facts of his life. It sometimes happens that these biographies are by authors of reputation, like Dall' Ongaro and Cantù, but they seem generally written by young men, — if one may guess from a certain effusion of manner, — and by men whose names we do not find elsewhere in literature. There has been sufficient adventure and misfortune in the lives of most Italian *littérateurs* of this age to furnish material for dramatic biography; but whatever the poet's life has been, his biographer contrives to make him a hero of drama. Those little heart-breaks, to which we are all more or less subject between the ages of seventeen and twenty-three, are sometimes brought in for thrilling effect, and the ingenious historian does not hesitate at other times to introduce the private affairs of living people to relieve or heighten the tone of his facts. It will be naturally supposed that the exigencies of composition are severely felt by the authors of these little books, and indeed there is a good deal of gorgeous writing in them; but, after all, the defects of intentionally popular literature are less observable in them than

would be expected, and they are occasionally written with dignity and excellent sense. It must be confessed, that we have, in our language, nothing of corresponding utility and convenience. They assist and simplify the study of modern Italian literature in a very great degree; they incidentally and agreeably teach much of the history of contemporary Italy; their political and religious opinions are generous and liberal; and altogether they impress us well with the natural intelligence of the classes to which they seem chiefly addressed, namely, the Italian youth, and those elders of the populace to whom hard work and harder laws have, till now, denied the sources of knowledge and education.

We fear, indeed, that the Italian reader, if ever it were the hard fate of one of the greatly suffering Italian race to read so far into the book called "Italics" as to reach the chapter on literature, would not form half so flattering a notion of the people to whom Miss Cobbe's absurdities could be gravely addressed by an author of certain reputation in some kinds of writing. It must be confessed to our shame, however, that Miss Cobbe's error justly represents a most respectable plurality of ignorance on the subject among us. In fact, it so exactly expresses the opinion of vast numbers of otherwise intelligent people, that you are led to suspect the author of "Italics" of not having looked at modern Italian literature at all, but rather believe she has chosen to put down the indolent and flippant guesses of intelligent foreigners in Italy as much wiser criticism than acquaintance with the subject could have reached. Profession of knowledge is so amiable a trait, and is so especially characteristic of reviewers, that we hardly venture to blame Miss Cobbe for feigning to know all about something of which she is evidently ignorant; and since we think there is a large and influential party that shares her mistakes, we will treat with tenderness the ignorance which declares concerning the language and letters of modern Italy, that "the very language has been watered down since Dante's time, till for a dozen words of his strong vocabulary about eighteen or twenty of modern flowing verbiage are needed"; that "the nation seems to have been set the task of expressing the smallest quantity of thought with the most words and the greatest number of syllables"; that

"though Mazzini, D'Azeglio, and Passaglia all write and speak with combined elegance and vigor, lesser men can make nothing of the language"; that "there are no authors, because there are no readers, in Italy"; that "Italian genius has been silent for two centuries, or rather, like the fires of her volcanoes, it has been slumbering under its lava"; that "a modern Italian book is as wearisome to read as the *Henriade*"; that "of anything to be called a national literature there has been as yet no sign in Italy."

This, it must be confessed, is but a desolate and disheartening prospect for that gentle reader or two whom we hope to lead to some acquaintance with modern Italian poetry by the desultory paths we have already trodden. But we had lately the happiness of sitting with them to see some Recent Italian Comedies, and to look about on the audience to which they were played; and we trust that, if they were not wholly displeased at that time, they will not desert us here. We grant that, seen through Miss Cobbe's respectable spectacles, the way before us is not inviting, and that there is even a certain danger in passing over the genius which has been slumbering for two hundred years under its lava; but we think we may go safely through, and here and there find a flower which we remember to have seen in those arid wilds, catch now and then the sad or sweet note of a bird, and hear the gurgle of a woodland spring.

Before setting out, however, let us look for a moment at that notion of the dilution of the language since Dante's time. It seems rather plausible, and in these days there has been a good deal thoughtlessly said and thoughtlessly accepted concerning the incapacity of Italian for condensed and terse expression. We suppose no one, not even Miss Cobbe, would judge the quality of modern Italian prose by Dante's verse, in which poetic license is employed to exscind every superfluity; but if she had known the Italian poetry of this century, she would have known that in no age since Dante's has the language found such bold, strong use. We do not mean to compare any poet of this time with Dante: he is alone in his greatness of thought and utterance; but if it were possible to liken another to him, there is no doubt that Ugo Foscolo, who died in 1820, would be found in diction much nearer

Dante's "strong vocabulary" than Petrarch is. As to the prose of the fourteenth and nineteenth centuries, we cannot expect any one to compare the cumbrous, pedantic, tautological forms of the men who wrote in Latin to make their fame, and in Italian to amuse themselves, with the clear, straightforward, manly style of the best Italian thinkers and novelists of our day. With the poor writers of this time, or of any time, we have nothing to do, and refuse to consider them at all. It is only when the poets and thinkers who are acknowledged greatest fall into affected and vicious expression, that a language can be called diluted or corrupt; and not, as in Italy now, when those writers who have the greatest fame write forcibly and elegantly. There is no literature outside of their books, for the productions of inferior writers have absolutely no existence in any tongue as literature, write they never so much; few people copy them; the first man of power who has reason to speak casts them and their manner forever aside as intolerable rubbish, and speaks as mightily and solidly as if there had never been milk-and-water in the world. Even the vices of the greatest writers of a period are but transient in their effects, and have not much to do with enfeebling a language, unless other causes have doomed it to extinction. There never was, perhaps, anything so execrably bad as the diction of English poetry, after Pope had given it the hand-organ movement; yet in the midst of the imitative hand-organists who followed Pope, real poets like Gray, Thomson, Collins, and Goldsmith were possible; and at this day there is scarcely a trait in poetic diction which reminds us of the fashion of the eighteenth century.

It remains to inquire, in regard to the modern writers of Italy, whether they are so few in number as not to have produced enough good books to constitute a national literature, or anything "to be called the sign" of a national literature; and though it is not within the range of our present purpose to make this inquiry, except in regard to the poets, yet we think we may venture to say, that, if a national literature means the expression, in prose and verse, of the thoughts and feelings peculiar to a civilization and a people, and if goodly numbers of good books are its signs, no people of this period

has a literature so intensely national as the Italians, and only the French, Germans, and English have the signs of literature in greater abundance.

Indeed, viewed simply from æsthetic ground, the literature of the Italians may be pronounced *worse* than national: it is patriotic. The chief condition, if not absolute necessity, of its being has built up between it and the Transalpine world of letters a barrier far more formidable than strangeness of tongue, or those oblivious sands left by the fashion which two centuries since ebbed away from the study of Italian poetry. But if the Italians themselves have found use and delight in the literature which preserves every incident and aspect of their political existence, this is for them the unanswerable reason why all their poetry, history, romance, and philosophy of the present century should have been directed to produce political results magnificently visible at the present moment. Other peoples, we think, may still find in the richness of the fruit enough that is of universal and lasting relish to neutralize the acrid taste of the rind; and we trust in this article to offer so much of this flavor to the reader as shall make him doubt our justice in declaring the literature of modern Italy almost wholly revolutionary in its purposes. Yet one cannot well state the fact too strongly; and we give but a faint idea of the perfection of the devotion of this literature to a great and patriotic cause, when we liken all the poets, novelists, and thinkers of Italy, in their enthusiasm for national freedom and independence, to Whittier, Stowe, and Phillips in their antagonism to slavery.

"In free and tranquil countries," said Guerrazzi in conversation with M. Monnier, "men have the happiness and the right to be artists for art's sake: with us, this would be weakness and apathy. When I write, it is because I have something *to do;* my books are not productions, but deeds. Before all, here we must be men. When we have not the sword, we must take the pen. We heap together materials for building batteries and fortresses, and it is our misfortune if these structures are not works of art. To write slowly, coldly, of our times and of our country, with the set purpose of creating a *chef d'œuvre*, would be almost an impiety. When I compose a book, I only think of freeing my soul, of imparting my idea or

my belief. As vehicle, I choose the form of romance, since it is popular and best liked at this day; my picture is my thoughts, my doubts, or my dreams. I begin a story to draw the crowd; when I feel that I have caught its ear, I say what I have to say; when I think the lesson is growing tiresome, I take up the anecdote again; and whenever I can leave it, I go back to my moralizing. Detestable æsthetics, I grant you; my works of siege will be destroyed after the war, I don't doubt; but what does it matter? Let my book pass like the tempest, if only in passing it scathe the wicked, wither the base, and purify the air."

We could add nothing but the obscurity of amplification, if we tried to explain from these words the æsthetics, more or less conscious, of every Italian writer of this century. It remains to be seen how much of the works of siege will really be cleared away after the war; and in the mean time no one can withhold the tribute of admiration from the men who based them on the eternal principles of liberty and justice, built them so loftily and strongly, and cemented their foundations with the blood of the martyr and the tears of the prisoner and the exile.

Here we have to speak only of the poets in whose writings, rather than in any historical sketch we can offer, it would be better to study the nature and events of the revolution which has at last ripened into Italian nationality; for as the reader of a perfectly commented Dante would be thoroughly versed in the Italian politics of his time, so the reader of such an edition of Alfieri, Monti, Berschet, Foscolo, Niccolini, Giusti, Dall' Ongaro, and Aleardi would be master of all that is to be known concerning Italian politics from the epoch of the French Revolution up to the present day. We can only very briefly and rapidly touch on conditions, elements, events, and feelings which the study of the modern poets throws into such strong relief.

It is not necessary to go back to the consideration of Alfieri as a poet, and to take up those hard, juiceless tragedies, scarcely less dry than the lion's dust in his coffin. They have achieved that place in the esteem of posterity and every Italian's library which they will probably hold against all comers forever. They were in their day like bolts of lightning from a

clear sky, under which Arcadian shepherds had piped Amaryllis for nigh a hundred years; and they curdled the milk and water in the veins of the genteel Arcadian Muse, so that she died, leaving an ungrateful world a large lot of trumpery pastoral properties, smelling of musk and the snuff of candles. It seems scarcely possible to a man of this ameliorated generation, that a number of otherwise guiltless Italian gentlemen at Rome should one day, about the end of the seventeenth century, enter into a conspiracy against mankind, and swear to restore the golden pastoral age; that they should found an Academy to be called Arcadia for the propagation and perpetuation of the horrible plot; and that the accomplices should call themselves by shepherds' names out of Theocritus. Yet such was the origin of the greatest literary enormity ever committed: such was the origin of the Italian Arcadia. "Said, done," says Emiliani-Giudici. "Arcadia was at once constituted. The most illustrious of the illustrious rushed to cooperate in its establishment; friars, priests, savants, cavaliers, ladies, cardinals, and even monarchs prayed to be inscribed in the lists of the propaganda of *poetic orthodoxy*. . . . . The fame of it was blown throughout all Italy, and every city must have its colonial Arcadia, dependent on the Roman, as from the supreme Fold. . . . . Italy, in a short time, had one thousand three hundred good poets, for no one could become a member of this most noble society without producing the title of a writer of good verses. . . . . But in order that the Academy should not become a Babel, they tempered the democratic character of its constitution by prescribing certain purposes for poetry, nearly of this effect: the Arcadians were to study to reproduce the ancient inhabitants of Arcadia, — reproduce not only their customs, but the character of their song. The first impulse given to the new intellectual movement, behold Italy in every direction thronged with Thyrses, Menalcæ, Melibœi, who made their harmonious lays resound the names of Chloris, of Phillis, and of Nicea; behold a universal flood of pastoral compositions, in the catalogue of which occur the names of grave thinkers, writers of philosophical works, who were not ashamed to vie in this miserable literary vanity, which, in the history of human knowledge, will always remain

the lamentable testimony of the moral depression of the Italian nation."

A system of literature conventional and inane like this must have perished at the voice of genius so original and so severe as that of Alfieri, even if it had been in the fulness of its youth; but when Alfieri came, it was already declining. Yet it had a kind of supremacy still, although Metastasio, Maffei, Gozzi, and Parini had been, and it was not till after Alfieri that its dominion passed wholly away. "Till his time," says Arnaud, "we had bleated: he roared. Nothing less than that roar would have awakened the Italians." He uttered it, and passed. He is not of this age nor of the poets whom we mean to consider; but he bears to them the relation which the French Revolution bears to modern politics and civilization; and without him they could not have been, any more than such liberty as Italy enjoys to-day could have been without the volcanic explosion which tumbled to the earth and consumed with its fires the wicked old political systems.

The poets whose names fill the interval between the time of Alfieri's death and the rise of the Romantic school in Milan are numerous enough, but those best known to us are Vincenzo Monti and Ugo Foscolo. These men were long the most conspicuous *literati* in the capital of Lombardy, but neither was Lombard. Monti was educated in the folds of Arcadia at Rome; Foscolo was a native of one of the Greek islands dependent on Venice, and passed his youth and earlier manhood in the Lagoons. The accident of residence at Milan brought the two men together, and made friends of those who had scarcely a single purpose, belief, or interest in common. They can only be considered together as part of the literary history of the time in which they both happened to be born.

In 1802, Napoleon bestowed a republican constitution on Lombardy and the other provinces of Italy which had been united under the name of the Cisalpine Republic, and Milan became the capital of the new state. Thither at once turned all that was patriotic, hopeful, and ambitious in Italian life, and gave Milan that intellectual supremacy which passed later to Turin, and now belongs to Florence. Yet, while it would be unjust to judge the character of this new phase of Italian civili-

zation by that of Vincenzo Monti, it is sufficient comment on its effervescent, unstable, fictitious, and partial nature that he was its greatest poet. Few men have appeared so base as Monti, and we are loath to turn the leaves of a history that shows what possibilities of meanness and falsehood lurk in the most delicate and sensitive spirits; for it is not certain that he was of more fickle and truthless soul than many other contemplative and cultivated men of the poetic temperament, who are never confronted with exigent events, and who therefore never betray the vast difference that lies between the ideal heroism of the poet's vision and the actual heroism of occasion. We all have excellent principles until we are tempted, and it was Monti's misfortune to be born in an age which put his principles to the test, with a prospect of more than the usual prosperity in reward for servility and hypocrisy, and more than the usual want, suffering, and danger in punishment of candor and constancy.

He was born near Ferrara in 1754; and having early distinguished himself in poetry, he was conducted to Rome by the Cardinal-Legate Borghesi. At Rome he of course entered the Arcadian fold, and piped by rule there with extraordinary acceptance, and might have died a Thyrsis but for the French Revolution, which broke out and gave him a chance for life. The secretary of the French legation at Naples, appearing in Rome with the tricolor of the Republic, was attacked by the blind and foolish populace, and killed; and Monti, the petted and caressed of priests, the elegant and tuneful young poet in the train of Cardinal Borghesi, seized the event of Ugo Bassville's death, and turned it to epic account. In the moment of dissolution, Bassville, repenting his republicanism, receives pardon; but, as a condition of his acceptance into final and eternal bliss, is shown, through several cantos of *terza rima*, the woes which the Revolution has brought upon France and the world. The bad people of the poem are naturally enough the French Revolutionists; the good people, those who hate them. The most admired episode is that descriptive of poor Louis Capet's ascent into heaven from the scaffold.

There is every reason to suppose that Monti was sincerer

in this poem than in any other of political bearing which he ever wrote; and the Dantesque plan of the work gave it, with the occasional help of Dante's own phraseology and many fine turns of expression picked up in the course of a various reading, a dignity from which the absurdity of the apotheosis of priests and princes detracted nothing among its readers. At any rate, it was received by Arcadia with rapturous acclaim, though its theme was *not* the golden age; and on the *Bassvilliana* all that is solid in Monti's fame rests at this day. His lyric poetry is seldom quoted; his tragedies are no longer played, not even his *Galeotto Manfredi*, in which he has stolen enough from Shakespeare to almost vitalize one of the characters. After a while the Romans wearied of their idol, and began to attack him in politics and literature; and in 1797 Monti, after a sojourn of twenty years in the Papal capital, fled from Rome to Milan. Here he was assailed in one of the journals by a fanatical Neapolitan, who had also written a *Bassvilliana*, but with celestial powers, heroes and martyrs of French politics, and who now accused Monti of enmity to the rights of man. Monti responded by a letter to this poet, in which he declared that his *Bassvilliana* was no expression of his own feelings, but that he had merely written it to escape the fury of Bassville's murderers, who were incensed against him as Bassville's friend! But for all this the *Bassvilliana* was publicly burnt before the Duomo in Milan, and Monti was turned out of a government place he had achieved, because "he had published books calculated to inspire hatred of democracy, or predilection for the government of kings, of theocrats and aristocrats." The poet's baseness was equal, like that of Bacon, to every exigency; and he now reprinted his works, and made them to praise the French and the revolutionists wherever they had blamed them before; while all the bad systems and characters were depicted as monarchies and kings and popes, instead of anarchies and demagogues. Bonaparte was exalted, and poor Louis XVI., sent to heaven with so much ceremony in the *Bassvilliana*, was abased in a later ode on "Superstition" with a ferocity worthy of a renegade and coward.

Monti was amazed that all this did not suffice "to overcome that fatal combination of circumstances which had caused him

to be judged as the courtier of despotism." "How gladly," he writes, "would I have accepted the destiny which envy could not reach! But this scourge of honest men clings to my flesh, and I cannot hope to escape it, except I turn scoundrel to become fortunate!" When the Austrians returned to Milan, the only honest man unhanged in Italy fled with other democrats to Paris, whither the fatal combination of circumstances followed him, and caused him to be looked on with coldness and suspicion by republicans. After Bonaparte was elected First Consul, Monti invoked his might against the Germans in Italy, and carried his own injured virtue back to Milan in the train of the conqueror. When Bonaparte was crowned Emperor, this sincere democrat and patriot was the first to hail and glorify him; and the Emperor, himself traitor and liar, rewarded the poet's devotion with a chair in the University of Pavia, and a pension attached to the place of Historiographer. Monti accepted the honors and emoluments due to long-suffering integrity and inalterable virtue, and continued in the enjoyment of them till the Austrians came back to Milan a second time, in 1815, when his chaste muse was stirred to a new passion by the charms of German despotism, and celebrated as "the wise, the just, the best of kings, Francis Augustus," who "in war was a whirlwind and in peace a zephyr." But the heavy Austrian, who knew he was nothing of the kind, thrust out his surly under lip at these blandishments, said that this muse's favors were mercenary, and cut off Monti's pension. Stung by this ingratitude, the victim of his own honesty retired forever from courts, and thenceforward sang only the merits of rich persons in private station, who could afford to pay for spontaneous and incorruptible adulation. He died in 1826, having endured more pain and run greater peril in his desire to avoid danger and suffering than the bravest and truest man in a time when courage and truth seldom went in company. It is not probable that he thought himself despicable or other than unjustly wretched.

And perhaps, after all, he was not so greatly to blame. Monti was essentially an *improvvisatore*, and the subjects which events cast in his way were like the themes which the *improvvisatore* receives from his audience. He applied his poetic faculty to

their celebration with marvellous facility, and regarded the results as rhetorical feats. His poetry was an art, not a principle; and having no heart in his work beyond the desire to win applause, he was, no doubt, really surprised when people thought him in earnest, and held him personally to account for what he wrote. "A man of sensation, rather than sentiment," says Arnaud, acutely, "Monti cared only for the objective side of life. He poured out melodies, colors, and chaff in the service of all causes; he was the poet-advocate, the Siren of the Italian Parnassus." Of course such a man instinctively hated the ideas of the Romantic school, and he contested their progress in literature with great bitterness. He believed that poetry meant feigning, not making; and he declared that "the hard truth was the grave of the beautiful." The latter years of his life were spent in futile battle with the "audacious boreal school," and in noxious revival of the foolish old disputes of the Italian grammarians; and Emiliani-Giudici condemns him for having done more than any enemy of his country to turn Italian thought from questions of patriotic interest to questions of philology, from the unity of Italy to the unity of the language, from the usurpations and tyranny of Austria to the assumptions of Della Crusca. But Monti could scarcely help any cause which he espoused; and it seems to us that he was as well employed in disputing the claims of the Tuscan dialect to be considered the Italian language, as he would have been in any other way. The wonderful facility, no less than the unreality, of the man appears in many things, but in none more remarkably than his translation of Homer, which is the translation universally accepted and approved in Italy. He knew little more than the Greek alphabet, according to Cantù, and produced his translation from the preceding versions in Latin and Italian, submitting the work to the correction of eminent scholars before he printed it. His poems fill many volumes; and all betray the ease, perspicuity, and obvious beauty of the *improvvisatore*. From a fathomless memory, he drew felicities which had clung to it in his vast reading, and gave them a new excellence by the art with which he presented them as new. But the present generation reads him little, though the commonplace Italians continue to speak awfully of Monti as a great poet, because the

commonplace mind regards everything established as great. He is a classic of those classics common to all languages, — respectable corpses of celebrity, which retain their forms perfectly in the coffin, but crumble to dust and nothing as soon as exposed to the air.

The troubled life of Ugo Foscolo is a career altogether pleasanter than Monti's to contemplate. There is much of violence, vanity, and adventure in it, to remind of Byron; but Foscolo had neither the badness of Byron's heart nor the greatness of his genius. He was, moreover, a better scholar and a man of truer feeling. Coming to Venice from Zante, in 1793, he witnessed the downfall of a system which Venetians do not yet know whether to lament or execrate; and he was young and generous enough to believe that Bonaparte really meant to build up a democratic republic on the ruins of the fallen oligarchy. Foscolo had been one of the popular innovators before the Republic perished, and he became the secretary of the provisional government, and was greatly beloved by the people. While in this office, he brought out his first tragedy, which met with great success; and at the same time Napoleon concluded the cruel farce with which he had beguiled the Venetians, by selling them to Austria, at Campo-Formio. Foscolo then left Venice, and went to Milan, where he established a patriotic journal, in which a genuine love of country found expression, and in which he defended unworthy Monti against the attacks of the red republicans. He also defended the Latin language, when the legislature, which found time in a season of great public peril and anxiety to regulate philology, fulminated a decree against that classic tongue; and he soon afterwards quitted Milan, in despair of the Republic's future. There was fighting in those days, for such as had stomach for it, in every part of Italy; and Foscolo, being enrolled in the Italian Legion, was present at the battle of Cento, and took part in the defence of Genoa, but found time, amid all his warlike occupations, for literature. He had written, in the flush of youthful faith and generosity, an ode to Bonaparte Liberator; and he employed the leisure of the besieged in republishing it at Genoa, affixing to the verses a reproach to Napoleon for the treaty of Campo-Formio, and menacing him with a Tacitus. He returned to Mi-

lan after the battle of Marengo, but his enemies procured his removal to Boulogne, whither the Italian Legion had been ordered, and where Foscolo cultivated his knowledge of English and his hatred of Napoleon. After travel in Holland and marriage with an Englishwoman there, he again came back to Milan, which he found full as ever of folly, intrigue, baseness, and envy. Leaving the capital, says Arnaud, "he took up his abode on the hills of Brescia, and for two weeks was seen wandering over the heights, declaiming and gesticulating. The mountaineers thought him mad. One morning he descended to the city with the manuscript of the *Sepolcri*. It was in 1807. Not Jena, not Friedland, could dull the sensation it imparted to the Italian republic of letters."

It is doubtful whether this poem, which Giudici calls the sublimest lyrical composition modern literature has produced, will stir the English reader to enthusiastic admiration. The poem is of its age, — declamatory, ambitious, eloquent; but the ideas do not seem great or new, and the sentiment seems what the poet thought he felt, not what he did feel. He touches in it on the funeral usages of different times and peoples, with here and there an episodic allusion to the fate of heroes and poets, and some not very coherent disquisition on the æsthetic and spiritual significance of posthumous honors. The most-admired passage of the poem is that in which the poet turns to the monuments of Italy's noblest dead, in the church of Santa Croce, at Florence: —

"The urnèd ashes of the mighty kindle
The great soul to great actions, Pindemonte,
And fair and holy to the pilgrim make
The earth that holds them. When I saw the tomb
Where rests the body of that great one,* who,
Tempering the sceptre of the potentate,
Strips off its laurels, and to the people shows
With what tears it doth reek, and with what blood;
When I beheld the place of him who raised
A new Olympus to the gods in Rome,† —
Of him‡ who saw the worlds wheel through the heights

* Question of Machiavelli. Whether "The Prince" was written in earnest, with a wish to serve the Devil, or in irony, with a wish to serve the people, who shall say?

† Michelangelo. ‡ Galilei.

Of heaven, illumined by the moveless sun,
And to the Anglian * oped the skiey ways
He swept with such a vast and tireless wing, —
O happy ! † I cried, in thy life-giving air,
And in the fountains that the Apennine
Down from his summit pours for thee ! The moon,
Glad in thy breath, laps in her clearest light
Thy hills with vintage laughing ; and thy vales,
Filled with their clustering cots and olive-groves,
Send heavenward th' incense of a thousand flowers.
And thou wert first, Florence, to hear the song
With which the Ghibelline exile charmed his wrath, ‡
And thou his language and his ancestry
Gavest that sweet lip of Calliope, §
Who clothing on in whitest purity
Love in Greece nude and nude in Rome, again
Restored him unto the celestial Venus ; —
But happiest I count thee that thou keep'st
Treasured beneath one temple-roof the glories
Of Italy, — now thy sole heritage,
Since the ill-guarded Alps and the inconstant
Omnipotence of human destinies
Have rent from thee thy substance and thy arms,
Thy altars, country, — save thy memories, all.
Ah ! here, where yet a ray of glory lingers,
Let a light shine unto all generous souls,
And be Italia's hope ! Unto these stones
Oft came Vittorio ‖ for inspiration,
Wroth to his country's gods. Dumbly he roved
Where Arno is most desert, anxiously
Brooding upon the heavens and the fields ;
Then when no living aspect could console,
Here rested the Austere, upon his face
Death's pallor and the deathless light of hope.
Here with these great he dwells forevermore,
His dust yet stirred with love of country. Yes,
A god speaks to us from this sacred peace,
That nursed for Persians upon Marathon,
Where Athens gave her heroes sepulture,
Greek ire and virtue. There the mariner
That sailed the sea under Eubœa saw
Flashing amidst the wide obscurity

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* Newton. † Florence.

‡ It is the opinion of many historians that the *Divina Commedia* was commenced before the exile of Dante. — *Foscolo.*

§ Petrarch was born in exile of Florentine parents. — *Ibid.*

‖ Alfieri. So Foscolo saw him in his last years.

The steel of helmets and of clashing brands,
The smoke and lurid flame of funeral pyres,
And phantom warriors, clad in glittering mail,
Seeking the combat. Through the silences
And horror of the night, along the field,
The tumult of the phalanxes arose,
Mixing itself with sound of warlike tubes,
And clatter of the hoofs of steeds, that rushed
Trampling the helms of dying warriors, —
And sobs, and hymns, and the wild Parcæ's songs!" *

The poem ends with the prophecy that poetry, after time destroys the sepulchres, shall preserve the memories of the great and the unhappy, and invokes the shades of Greece and Troy to give an illusion of sublimity to a very lame and impotent conclusion. The truth is, *I Sepolcri* of Foscolo is not a work which will bear analysis. The purpose in it is shadowy and fitful, and does not hold throughout the poem. The poet doubts if there be any comfort to the dead in monumental stones, but declares that they keep memories alive, and that only those who leave no love behind should have little joy of their funeral urns. He blames the promiscuous burial of the good and bad, the great and base; he dwells on the beauty of the ancient cemeteries, and the pathetic charm of English churchyards. Nothing but his Greek birth and the universality of the classicism which infected the poets of the French republican age can excuse his resort to mythologic and Homeric themes, for instance and illustration. In a poet of our own time, it would be justly counted utter poverty of imagination; but to a Greek these things had the flavor of patriotism, and in Foscolo's revolutionary day a taste for antiquity quite as prevalent as that of the courtly Renaissance times had brought almost into fashion again the *culte* of the gods, and their disreputable female connections. The poem of *I Sepolcri* has great beauty, yet it does not seem to us the grand work which the Italians esteem it; and it certainly will not bear the comparison which it suggests with Bryant's Thanatopsis, or Gray's Elegy.

* Foscolo, quoting Pausanias, says: "The sepulture of the Athenians who fell in the battle took place on the plain of Marathon, and there every night is heard the neighing of the steeds, and the phantoms of the combatants appear."

The tragedies of Foscolo seem to be little read, and his uncompleted but faithful translation of Homer did not have the success which met the facile paraphrase of Monti. His other works were chiefly critical, and are valued for their learning. The Italians claim that in his studies of Dante he was the first to reveal him to Europe in his political character, "as the inspired poet, who availed himself of art for the civil regeneration of the people speaking the language which he dedicated to supreme song"; and they count as among their best critical works, Foscolo's "exquisite essays on Petrarch and Boccaccio." His romance, "Jacopo Ortis," is a novel full of patriotism, suffering, and suicide, which still has readers among youth affected by "The Sorrows of Werther." His translation of Sterne's "Sentimental Journey" is greatly admired.

He was made Professor of Italian Eloquence at the University of Pavia, in 1809; but refusing to introduce flattery of Napoleon into his inaugural address, his professorship was abolished. When the Austrians returned to Milan, in 1815, they offered him the charge of their official newspaper; but he declined it, and left Milan for the last time. He wandered homeless through Switzerland for a while, and at last went to London, where he gained a wretched livelihood by teaching the Italian language and lecturing on its literature; and where, tormented by homesickness and the fear of blindness, he died, in 1827. He has left a saying in which much wisdom concerning English civilization is compressed,—"Poverty would make even Homer abject in London."

Cantù says that Foscolo succeeded, by imitating unusual models, in seeming original, and, probably more with reference to the time in which he wrote than to the qualities of his mind, classes him with the school of Monti. Although his poetry is full of mythology and classic allusion, the use of the well-worn machinery is less mechanical than in Monti; and Foscolo, writing always with one high purpose, was essentially different in inspiration from the poet who merchandised his genius and sold his song to any party threatening hard or paying well. Foscolo was a brave and true man, and faithfully loved freedom, and he must be ranked with those poets who, in later times, have devoted themselves to the liberation

of Italy. He is, indeed, classic in his forms, but he is revolutionary; and if he contended for some ideal Athenian liberty for his country, rather than the English freedom she now enjoys, his error was that of a time which hated unclassic feudalism, and swept it out of France and Italy. We cannot venture to pronounce dead, or idle, the Greek traditions of liberty, (albeit of a liberty mixed with slavery,) when we see how great love of democracy they have inspired; and we must acknowledge that the reaction which brought back into poetry the knights and ladies, the pages, buffoons, and minstrels of the Middle Ages, was in some sort a lapse from generous feeling. It gave the Romish faith a sentimental life, and it revived feudal littleness, isolation, and jealousy in Italy. The Romantic school of literature has long ago made friends with popular freedom; but at first, though it emancipated letters from the gods and goddesses, it did much to stay the progress of men out of political and religious superstition.

Before it came into Italy from Germany, a breath of nature had already swept over the languid elegance of Arcady, from the Northern lands of storms and mists; and the effects of this are visible in the poetry of Foscolo's period. Let us say a good word for a garrulous old friend, who has been generally given over, in English literature, as an unmitigated bore, and acknowledge that there is at least comparative excellence in Ossian. Let us grant that it is a hoax, a swindle; and yet it is the core of reality and poetry when confronted with the rubbish of Doctor Johnson and most of his contemporaries. The enthusiasm with which it was received in France has by no means died away. In Italy, the misty essence of the Caledonian bard was hailed as a substantial presence. The king took his spear, and struck his deeply sounding shield, as it hung on the willows over the neatly-kept garden walks, and the naked nymphs and lewd satyrs were dismayed through all their moss-grown marble; the thistle flew through the dusky vale of autumn, and gave the elegant, unprincipled ladies and gentlemen promenading there, *in villeggiatura*, a shock of unstudied pathos; Cranmor, the tall form of other years, moved before their eyes, and shut out for a time the images of their debauched Venus and bloated Cupid.

Giudici declares that Melchiorre Cesarotti, a professor in the University of Padua, struck the first blow against the power of Arcadia. This professor of Greek made the acquaintance of George Sackville, who inflamed him with a desire to read Ossian's poems, just published in England; and Cesarotti studied the English language in order to acquaint himself with a poet whom he believed greater than Homer. He translated Macpherson into Italian verse, retaining, however, in extraordinary degree, the genius of the language in which he found the poetry. He twisted the Italian into our curt idioms, and indulged himself in excesses of compound words, to express the manner of his original. He believed that the Italian language had become "sterile, timid, and superstitious," through the fault of the grammarians; and in adopting the blank verse for his translation, he ventured upon new forms, and achieved complete popularity, if not complete success. "In fact," says Giudici, "the poems of Ossian were no sooner published, than Italy was filled with uproar by the new methods of poetry, clothed in all the magic of magnificent forms till then unknown. The Arcadian flocks were thrown into tumult, and proclaimed a crusade against Cesarotti as a subverter of ancient order and a mover of anarchy in the peaceful republic — it was a tyranny, and they called it a republic — of letters. Cesarotti was called corrupter, sacrilegious, profane, and assailed with titles of obscene contumely; but the poems of Ossian were read by all, and the name of the translator, till then little known, became famous in and out of Italy." In fine, Cesarotti founded a school; but, blinded by his marvellous success, he attempted to translate Homer into the same fearless Italian which had received his Ossian. He failed, and was laughed at.

Ossian, however, remained a power in Italian letters, though Cesarotti fell; and his influence was felt for good, before the time of the Romantic School. He did not affect essentially the servile genius of Monti, who imitated him as he found him in Italian; and though Monti's verse abounds, like Ossian, in phantoms and apparitions, they are not Northern spectres, but respectable shades, so classic, so well-mannered and orderly, that they seem never to have been substances, and to have no

kinship with anything but the personifications, Vice, Virtue, Fear, Pleasure, and the rest of their genteel company. Unconsciously and badly, however, Monti had helped to prepare the way for romantic realism by choice of living themes. Louis XVI., though decked in epic dignity, was something that touched and interested the age; and Bonaparte, even in paganish apotheosis, was so positive a subject that the improvvisatore acquired a sort of truth and sincerity in celebrating him. As Canova's statue on the top of the cathedral of Milan, representing Bonaparte as the Thunderer, is altogether Bonaparte, and not in the least Jupiter, so the young general who crossed the Alps and reconquered Italy from the Austrians by a single battle was not the Sun he was hailed to be, but even in Monti's verse a soldier, ambitious, unscrupulous, irresistible, known by his might, and recognizable in every guise. Yet it was not till after the turbulent days of the Napoleonic age were past that the theories and thoughts of romance were introduced into Italy. It ought not to be forgotten how entirely strange to Italian letters was the new element. In Italy, there had never been an age of romance; except in Piedmont, there were no genuine ballads; no feudal histories in verse; no troubadours, but such as had sung in Provençal. The Italians were a mercantile and industrial people, among whom chivalry was at a discount, and who made money out of the Crusades. Their great poets had burlesqued the tales of chivalry; and all the glorious associations of the Italians as one race were with classic times. In Germany, where the great revival of romantic letters took place, — where the poets and scholars, studying their own Minnesingers and the ballads of England and Scotland, reproduced the simplicity and directness of thought characteristic of young literatures, — the life as well as the song of the people had once been romantic. In Scotland, the spirit of feudal times had not, in Scott's day, died out of the hearts or habits of his countrymen. In England there had always been the romantic ballad, which, discountenanced by learning and thrust out of the company of respectable letters, had still lived among the people, and, though devoted to the celebration of strictly popular themes of highway-robbery, seduction, murder, and hanging, had its roots in native soil, and was capable of the

cultivation it has since received. But in Italy, the plant had to be brought from Germany, over Alps, and acclimated in fields long impoverished by pedantry, bigotry, and indolence, and only recently enriched by war and patriotism.

In Italy, moreover, the patriotic instincts of the people, as well as their habits and associations, were opposed to those which fostered romance in Germany; and it is little wonder that the poets and novelists, who sought to naturalize the new element of literature, should have been accused of political friendship with the loathed and hated Germans. The obstacles in the way of the Romantic School were very great, and it may be questioned if, after all, its disciples succeeded in endearing to the Italians any form of romantic literature except the historical novel, which came from England, and the untrammelled drama, which was studied from English models. These features of romantic literature are now thoroughly Italianized and adopted; but we shall see presently that the ballad and the romantic tale in verse are still of exotic and artificial growth in Italy, where the best undramatic poetry remains lyrical and contemplative. It cannot be denied that Alessandro Manzoni and the disciples of the Romantic School which he founded at Milan, produced great results for good in Italian letters; but these results were indirect, and not those at which romance aimed. Something positive and of direct intention they did achieve: they banished mythology from the language of poetry, and made an end of allegory. They renewed the thought of the poets; but, in spite of them, it swerved from the course they sought to give it, and ran in the old channels. After a generation of forced ballad and narrative poetry, Giovanni Prati is perhaps the only living Italian poet who writes poetical romances. Aleardi is essentially didactic; Dall' Ongaro is lyrical, epigrammatic, and dramatic. The *moyen-age* versified tales of the Romantic period of Manzoni, Pellico, and Grossi are little read, though the novels in prose survive. A better classicism was made possible by the sentiment which overthrew the old, and failed to propagate itself upon the ruin. Romance in Italy was like the conquest which possesses but does not subdue a people; the conquerors, fewer than the conquered, failing to introduce their customs with their arms, adopt the subjected

civilization and language, and express through them a freer, bolder, and nobler life, without changing the ancient forms. Almost contemporaneously with this romantic conquest, the union of the two elements of literature, while the champions were fighting over non-essentials, took place in all essentials in a poet whom many Italians count one of the greatest men of genius our time has produced.

In his conception and thought, Giacomo Leopardi is wholly of our age; in his expression, no one is further removed from it. There is a calm in his utterances, a self-possession in his despair, admirable as the repose in the anguish of the Laocoön; yet he is altogether introspective, he is the soul of subjectivity, and his poetry must not be studied, cannot be understood, apart from his life. In the year 1798 he was born, noble and miserable, in Recanati, a little town of Tuscany, between Loreto and Macerata. His father was Count Monaldo Leopardi, who united to fine learning religious bigotry and political opinions cruelly reactionary. From these the poet early revolted, and he seems not to have been happy in his father's house, except only during the time spent over his studies. Recanati had no congenial society to offer a boy who, in his fourteenth year, knew all the literature of the Latins and Greeks, who knew French, Spanish, and English, who knew Hebrew and disputed in that tongue with the learned Rabbis of Ancona; and he loathed that poor little town and the poor little people in it with an inexpressible disgust, — feeling there, not isolation, which had been bliss, but the proximity and contact of those whom he despised, and the tacit oppression of whose vulgarity he could not throw off. Leopardi escaped from all this as soon as he might, but not before he had known an unhappy passion for a young girl of humble lot, who dwelt opposite his father's palace, and whom he used to hear singing at her loom. It was a boy's love, promptly quenched by the Count Monaldo; the simple child who inspired it died in her girlhood, and passed into the melancholy of Leopardi's life and poetry. It was not till his twenty-fourth year that he abandoned the roof under which he was treated with severity as a wayward child, and had already begun to suffer the malice of that strange conspiracy of ills which

consumed him. He went to Rome, where he found cordial and admiring friends in Niebuhr (who, among others, had recognized the marvellous Greek learning of the child of fourteen), and the *savans* of all nations, but he did not find happiness. He was as miserable as he had been at Recanati, and he returned thither after the absence of a year. He again quitted it in 1825, and went back no more, fixing his place (after sojourns in Bologna, Milan, and Pisa) at Florence, where he remained till he went southward to seek respite from his sickness, and was healed of it by death at Naples, in 1837.

In the beautiful essay on the life and writings of Leopardi, prefixed to the edition of Le Monnier (Firenze, 1845), Antonio Ranieri says that his friend was first a great philologist, then a great poet, and then a great philosopher; and that, to perfectly understand his genius, it must be studied in each of the three grand forms which it assumed. Without recounting idly the titles of philological works, which, long before he reached the age of manhood, had won him a European fame for rare and almost unequalled learning, but which we are not to examine here, we shall pass to his poetry and pause there, for his philosophy is merely the *vanitas vanitatum* of the Preacher, and does not seem to us either new or great. It is, indeed, only interesting as a part of his poetry, and as the result at which he arrived, arguing from sorrow and anguish. Life-long suffering, which sometimes brings men to faith and hope, brought Leopardi to despair and doubt, and this is his great philosophy. The reader is to value it as he pleases; but first he must see the physical reasons on which it was built.

"The malady of Leopardi," says Ranieri, "was indefinable, because, having its spring in the secretest fountains of life, it was like life itself, inexplicable. The bones softened and dissolved away, refusing even their weak support to the poor flesh that covered them. The flesh itself grew leaner and more lifeless every day, because the organs of nutrition denied their purpose of assimilation. The lungs, cramped into a space too narrow, and withal not themselves sound, expanded with difficulty. With difficulty the heart freed itself from the lymph with which a slow absorption burdened it. The blood, which ill renewed itself in the hard and painful respiration, returned cold, pale, and

sluggish to the enfeebled veins. And, in fine, the whole mysterious circle of life, moving with such great effort, seemed from moment to moment about to pause forever. Perhaps the great cerebral sponge, beginning and end of that mysterious circle, had prepotently sucked up all the vital forces, and itself alone consumed in a brief time all that which was meant to suffice for a long time to the whole system. But however it may be, the life of Leopardi was not a course, as in other men, but truly a precipitation towards death."

It is no wonder that such a sufferer as this, in "applying to the universe the first element of his genius, fancy," should incessantly dwell on the course of suffering; that, beginning to sing, he should sing "first the fall of Italy and the old civilization, then public and individual disillusions, then fate, necessity, and death"; that often, in his excess of pain, he should call on Death as the sole friend of men: —

> "And thou, that ever from my life's beginning
> I have invoked and honored, —
> Beautiful Death! who only,
> Of all our earthly sorrows, knowest pity:
> If ever celebrated
> Thou wast by me; if ever I attempted
> To recompense the insult
> That vulgar terror offers
> Thy lofty state, delay no more, but listen
> To prayers so rarely uttered:
> Shut to the light forever,
> Sovereign of time, these eyes of weary anguish!"

Death, oblivion, annihilation, — we no not doubt that Leopardi desired these, but only that such a longing was a great philosophy. Many despicable rhymers have made the pretence of it their stock in trade: the poet who really felt it can have nothing but the tears of pity, and we can only bestow an abhorrent admiration upon such lines as these, in which a soul rejoices at its own mortality.

"TO HIMSELF.

> "Now thou shalt rest forever,
> O weary heart! The last deceit is ended,
> For I believed myself immortal! Cherished
> Hopes and beloved delusions,
> And longings to be deluded, — all are perished!

Rest thee forever! O greatly,
Heart, hast thou palpitated. There is nothing
Worthy to move thee more, nor is earth worthy
Thy sighs. For life is only
Bitterness and vexation; earth is only
A heap of dust. So, rest thee!
Despair for the last time. To our race Fortune
Never gave any gift but death. Disdain, then,
Thyself and Nature, and the Power
Occultly reigning to the common ruin:
Scorn, heart, the infinite emptiness of all things."

It was the wretched doom of this man, to whom Nature seemed so cruel a step-mother, that, while keenly sensible of her beauty, he could see nothing but wrong and harm even in her beneficent aspects; that from the contemplation of her regular course he reasoned to a malign mystery presiding over men's affairs; that from the joyousness of the earth's health he distilled a poisonous loathing of life, and fed the sickness of his soul on doubt of her smiles, as of moods of caprice and deceit. In the intervals of actual pain he was pursued by an inappeasable ennui, which finds utterance in his poetry, as well as that disbelief which is the key-note of the poems already quoted. Emiliani-Giudici says of him: "The bodily deformity which humiliated him, and the cruel infirmities that agonized him all his life long, wrought in his heart an invincible disgust, which made him invoke death as the sole relief. His songs, while they express discontent, the discord of the world, the conviction of the nullity of human things, are most exquisite in style; they breathe a perpetual melancholy, which is often sublime, and they relax and pain your soul like the music of a single chord, while their strange sweetness wins you back to them again." Almost any one poem gives the range of his faculty, and we need only quote so much as is necessary to make the reader feel the plaintive beauty of his alluring monotones. Despair has its commonplaces, as well as the other moods of the human spirit, and it cannot be said that Leopardi has added many new thoughts to the unhappiness and hopelessness of mankind. It is the infallible and excellent grace of his utterance which delights and touches, and which tempts us from one poem to another, and consoles us for the frequent recurrence of the same ideas.

"ON THE LIKENESS OF A BEAUTIFUL WOMAN CARVEN UPON HER TOMB.

"Such wast thou: now under earth
A skeleton and dust. O'er dust and bones
Immovably and vainly set, and mute,
Looking upon the flight of centuries,
Sole keeper of memory
And of regret is this fair counterfeit
Of loveliness now vanished. That sweet look,
Which made men tremble when it fell on them,
As now it falls on me; that lip, which once,
Like some full vase of sweets,
Ran over with delight; that fair neck, clasped
By longing; and that soft and amorous hand,
Which often did impart
An icy thrill unto the hand it touched;
That breast, which visibly
Blanched with its beauty him who looked on it;—
All these things were, and now
Dust art thou, filth, — a fell
And hideous sight hidden beneath a stone.

"Thus fate hath wrought its will
Upon the semblance that to us did seem
Heaven's vividest image! Eternal mystery
Of mortal being! To-day the ineffable
Fountain of thoughts and feelings vast and high,
Beauty reigns sovereign, and seems
Like splendor thrown afar
From some immortal essence on these sands,
To give our mortal state
A sign and hope secure of destinies
Higher than human, and of fortunate realms,
And golden worlds unknown.
To-morrow, at a touch,
Loathsome to see, abominable, abject
Becomes the thing that was
All but angelical before;
And from men's memories
All that its loveliness
Inspired forever faints and fades away.

"Ineffable desires
And visions high and pure
Rise in the happy soul,
Lulled by the sound of cunning harmonies,
Whereon the spirit floats,
As at his pleasure floats

Some fearless swimmer over the deep sea;
But if a discord strike
The wounded sense, to naught
All that fair paradise in an instant falls.

"Mortality! if thou
Be wholly frail and vile,
Be only dust and shadow, how canst thou
So deeply feel? And if thou be
In part divine, how can thy will and thought
By things so poor and base
So easily be awakened and quenched?"

Let us touch once more this pensive chord, and listen to its response of hopeless love. It is said to have been the keenest anguish of Leopardi's life that he could not win the heart of any woman; and this beautiful poem, in which he turns to address the spirit of the poor child whom he loved boyishly at Recanati, is pathetic with the fact that possibly she only ever reciprocated the tenderness with which his heart was filled.

"TO SYLVIA.

"Sylvia, dost thou remember
In this, that season of thy mortal being
When from thine eyes shone beauty,
In thy shy glances fugitive and smiling,
And joyously and pensively the borders
Of childhood thou didst traverse?

"All day the quiet chambers
And the ways near resounded
To thy perpetual singing,
When thou, intent upon some girlish labor,
Sat'st utterly contented,
With the fair future brightening in thy vision.
It was the fragrant month of May, and ever
Thus thou thy days beguiledst.

"I leaving my fair studies,
Leaving my manuscripts and toil-stained volumes,
Wherein I spent the better
Part of myself and of my young existence,
Leaned sometimes idly from my father's windows,
And listened to the music of thy singing,
And to thy hand, that fleetly
Ran o'er the threads of webs that thou wast weaving.
I looked to the calm heavens,

Unto the golden lanes and orchards,
And unto the far sea and to the mountains:
No mortal tongue may utter
What in my heart I felt then.

"O Sylvia mine, what visions,
What hopes, what hearts we had in that far season!
How fair and good before us
Seemed human life and fortune!
When I remember hope so great, belovèd,
An utter desolation
And bitterness o'erwhelm me,
And I return to mourn my evil fortune.
O Nature, faithless Nature,
Wherefore dost thou not give us
That which thou promisest? Wherefore deceivest,
With so great guile, thy children?

"Thou, ere the freshness of thy spring was withered,
Stricken by thy fell malady, and vanquished,
Didst perish, O my darling! and the blossom
Of thy years never sawest:
Thy heart was never melted
At the sweet praise, now of thy raven tresses,
Now of thy glances amorous and bashful;
Never with thee the holiday-free maidens
Reasoned of love and loving.

"Ah! briefly perished, likewise,
My own sweet hope; and destiny denied me
Youth, even in my childhood.
Alas! alas! belovèd
Companion of my childhood, —
Alas my mournèd hope! how art thou vanished
Out of my place forever!
This is that world? the pleasures,
The love, the labors, the events, we talked of,
These, when we prattled long ago together?
Is this the fortune of our race, O heaven?
At the truth's joyless dawning,
Thou fellest, sad one, with thy pale hand pointing
Unto cold death, and an unknown and naked
Sepulchre in the distance."

We cannot refrain from translating the following poem, entitled "Imitation," which seems to us the best that Leopardi wrote, and sums more briefly than any other the whole of the poet's philosophy and sentiment: —

"Far from thy native bough,
Whither goest thou,
Poor, frail leaf? From the tree
Where I was born the autumn wind tore me,
And, turning, bore
To the meadow from the grove,
And from the valley to the hill above.
With it perpetually
I go a pilgrim, and I know no more.
I go whither all life goes,
Whither naturally
Goes the leaf of the laurel
And leaf of the rose."

We have not cared to celebrate particular beauties in the verse we have quoted. Here is the life in the poetry, uttered with the greatest frankness and success. There is nothing very new in the work, nor very great; but it is poetry in which even the personal presence of the poet seems visible. "He was," says Ranieri, "of the middle stature, bent and slender, of a white color, verging to pallor; his head was large, his brow broad and square, his eyes blue and languid, his lineaments very delicate; his utterance was soft and somewhat weak; his smile was ineffable and heavenly." Believing that this work was the sincere expression of the life of Leopardi, we cannot, of course, agree with Arnaud, whose opinions we are usually inclined to accept, and who declares that it is merely literary art: — "Leopardi's style, without reliefs, without lyric flight, without the great art of contrasts, without poetic leaven, in fine, has a great fault, to my taste: it is not willingly read. Despoil those verses of their masterly polish, reduce those thoughts into prose, and you will see how little they are akin to poetry." This analysis of Leopardi's style is in part just; the conclusion is mistaken. We have read and re-read the verses of Leopardi with delight; and we believe that, even in translation, which is certainly as terrible an ordeal as reduction to prose, they come out poetry; but the reader is to judge of that. Arnaud is right when he denies that Leopardi is the greatest Italian poet after Dante, and when he hints that, in the songs lauded for their patriotism, it was rather loathing of life than love of country inspired the poet. These songs are mere bursts of passion and cries of reproach, like Leopardi's other poems,

but addressed to Italy and to Antiquity, instead of Fate and Nature,—without unity of design and without hopefulness of purpose. Leopardi was sick with incurable ills, and imparted his sickness to his work. It cannot comfort the unhappy, and it cannot teach well men anything. It is beautiful, but it is cold with death. Like the fool, it says, There is no God, and it is full of miserable lies against the beneficent purposes and laws of Nature. His art, as we have seen, was excellent, and we have considered his work before speaking of the Romantic School, because it allies itself to the time and thought of Foscolo, rather than to a later period and feeling; because, although it is full of modern doubt and pathos, its expression is antique.

Leopardi's years were yet few when the Romantic School of Milanese poets and novelists arose, with Alessandro Manzoni at its head. He is a man who holds at this day a place in Italian honor and regard which no one has achieved among ourselves, except, perhaps, Washington Irving; and he belongs to that tranquil order of great genius which is sometimes permitted patriarchal age and the assurance of an immortality of fame. He completed his eighty-first year last June, and still lives at Milan in unbroken health, while all the associates and colaborers of his youth and manhood have long passed away. In his life and their death is figured the fortune which has attended his literary career and theirs; for in him resides nearly all that was immortal in their purpose and their work.

While it would be hard to find anything of immediate revolutionary intent in Manzoni's writings, it can hardly be doubted that he has done much to inspire Italian romance with patriotic ideas. He was of the Lombard nobility, yet all the tendencies of *I Promessi Sposi* are democratic; and though there is nothing in his works directed against the Austrian government, under which he lived, yet in no works of the century is Italian nationality taught with more instinctive force. His age's error, however, was also his: he believed in the possibility of a free Papal Italy,—that which cannot be; and this was the belief which held all the youth and hope of the country powerless, until at last, in 1848, the Church assumed that attitude toward the revolution which convinced the nation forever of the grossness and futility of the superstition it had cherished.

ART. II. — *Philosophie der Schönen Künste: Architektur, Sculptur, Malerei, Musik, Poesie, Prosa.* Von ERNST VON LASAULX. München: Literarisch-Artistische Anstalt der J. G. Cotta'schen Buchhandlung. 1865. [*Philosophy of the Fine Arts.* By ERNST VON LASAULX.]

NOTWITHSTANDING their creative activity as an artistic people, the Greeks did not philosophize deeply about art. Indeed, they were habitually inexact in all their classifications. Aristotle, for example, makes zoölogy, medicine, &c. branches of philosophy, and puts them in the same category with metaphysics. As regards the arts, he assumes that they are all imitations, and from this stand-point inquires, first, by what means the imitation is produced (form, color, tone, or word); secondly, what objects are imitated (emotions, actions, &c.); and, thirdly, in what manner these objects are imitated. But he does not inform us what particular arts he would place under these several heads. He lays the foundation of a classification, but rears no superstructure upon it. Cicero divides the arts into silent (*quasi mutæ artes*), and speaking (*oratio et lingua*); the former are sculpture and painting, the latter are poetry and eloquence. Quintilian, applying to the arts the Aristotelian classification of the sciences, throws them into three groups: the *theoretical* (astronomy and philosophy); the *practical* (strategy, oratory, and dancing); and the *poetical*, comprising architecture, sculpture, and painting. These latter he also calls creative arts (*artes effectivæ*). In like manner the Neoplatonic Plotinus divides them, first, into imitative arts, sculpture, painting, and dancing, which imitate forms and motions, and music, which imitates the innate harmonies of the human soul; secondly, the practical arts, architecture and carpentry, which are expressions of the indwelling symmetry of the soul; and, thirdly, the theoretical arts, or those which are of a more ideal nature, such as geometry, poetry, oratory, and, highest of all, philosophy. The vice of these classifications obviously springs from the vagueness of the Greek and Latin terms which we are forced to translate by "the arts."

If now we turn to modern art-criticism, we find it equally ar-

bitrary and unsatisfactory. Dante (*De Monarchia*, II.) remarks that art is conditioned by three things, — the spirit of the artist, the instrument which he employs, and the material in which he works ; but he makes no distribution of the arts under this general principle. Kant (*Kritik der Urtheilskraft*, § 51) makes expression the basis of his classification. First, the speaking arts, poetry and eloquence ; the latter of these treats a business of the understanding as if it were a free play of the imagination, whereas the former conducts a free play of the imagination as if it were merely a business of the understanding. Secondly, the formative arts, of which there are two subdivisions, those which are expressed in accordance with the truth of the senses (*Sinnenwahrheit*), comprising architecture and sculpture (*die Plastik*), and those which rest on an illusion of the senses (*Sinnenschein*), including painting and landscape-gardening. Thirdly, the art of the beautiful play of the emotions, or music. Solger (*Aesthetik*, p. 257) assumes five fine arts, which he divides into two groups, viz. Poesy and Art (*Kunst*). The former he regards as the universal art, embracing in itself all the others. The latter he subdivides into symbolical (architecture and sculpture) and allegorical (painting and music). Hegel looks at art from different points of view, and gives a classification as seen from each. Historically considered he distinguishes three principal forms : the symbolical, or the art-pantheism of the Orient, the classical art of the Greeks and Romans, and the romantic art of the Christian nations of Western Europe. Again he speaks of the external art (architecture), the objective art (sculpture), and the subjective arts (painting, music, and poetry). Or if we consider the sense to which the art appeals, we have architecture, sculpture, and painting, which appeal to the eye ; music, which is addressed to the ear ; and poetry, which speaks to the imagination. Or, finally, distributing them into two groups, we have architecture and sculpture, which present the objective, and painting, music, and poetry, which express the innerness (*Innerlichkeit*) of the subjective. Cousin places painting above sculpture and music, because it is more pathetic than the former and clearer than the latter, and expresses the human soul in a greater richness and variety of its sentiments. Poetry he calls the art *par excellence*. Architecture and gardening he puts to-

gether in one category, as the least free and lowest of the arts. It seems to us, however, more natural, following Kant's distribution, to associate gardening with painting, inasmuch as it is governed by the laws of perspective, and is picturesque rather than architectural. Fergusson divides the arts into three classes, — technic, æsthetic, and phonetic. The technic culminate in upholstery, the æsthetic in music, and the phonetic in eloquence. On this basis he erects a labyrinthian superstructure through whose "wandering mazes" we have no disposition to conduct our readers.

It must be obvious to every one that all these classifications are more or less determined by *a priori* considerations, instead of being deduced from the nature and genesis of the arts and the law that controls their development. Every classification is imperfect, in so far as it is artificial. It is essential, therefore, to pursue a new method, to throw aside dogmatism and appeal to history, to study the arts in the process of their growth, and to adopt the arrangement into which we find them drawn by their natural affinities. The proper application of this method would render it necessary to trace the rise and progress of each art, and to show how the varying forces of nature, civilization, and social life have operated in developing and modifying man's artistic faculty; but this discussion is too broad for our present limits, and we must rest satisfied with a mere statement of the results to which such an investigation would lead.

By the fine arts, then, we mean architecture, sculpture, painting, music, poetry, and prose. These may be divided into two equal groups. The first three, architecture, sculpture, and painting, address themselves to the eye, speaking to it in the dialect of form; they may therefore be called the arts of formal representation, — formative or imaging arts. The last three, music, poetry, and prose, address themselves to the ear, and may be termed the arts of oral representation, or speaking arts. We have enumerated them in the order of their logical relations and of their chronological development. The first of the fine arts in point of time, and the lowest as a means of expression, is architecture; the last in time and the highest in expressiveness is prose. This classification corresponds to the historical growth of Grecian art. Art is originally an emanation of re-

ligious feeling. It springs from man's spiritual wants, which first seek expression in a rude symbolism. No pre-Hellenic people ever advanced beyond these religious beginnings of art. Such are the colossal temples of India, filled with gigantic images, monstrous in shape and yet every limb and lineament symbolical of certain divine attributes; also the monumental architecture of Egypt, massive and gloomy pyramids, obelisks emblematic of sacrificial flames, and all those stupendous structures that fringe the Nile from the Nubian desert to the Mediterranean. The Greeks were the first to idealize this symbolism and inspire it with a new principle, to modify it by intellectual and æsthetic culture, and melt it into a new metamorphosis, in which the sentiment of beauty blended with that of religion.

The six arts of which we have made mention rise one above the other, in a regular series; sculpture is higher than architecture, painting is higher than sculpture, music stands above painting, poetry above music, and prose is the highest art of all. It will be observed, also, that in the exact ratio of the increase of the spiritual content of these arts there is a decrease of materiality in the form. In nature we see a progress from the inorganic to the organic, from organogens to living organisms, from the general substances and elementary bodies of chemistry to the special phenomena of physics, from the coral to the plant, from the plant to the animal, and from the animal to man; each "striving to ascend, and ascending in its striving." The stone or the metal, in its highest form of crystal, mimics the delicacy of the flower; the flower, with its organic functions and motions and the variegated plumage of its petals, is assimilated to the butterfly that hovers on free wings above it; and in the social life and cunning instincts of the bee, the bird, the ant, and the spider are typically foreshadowed the intelligence and moral affections of man. Each of these in the rising scale of creation is the realization of that which is below it, and the mute prophecy of that which is above it. In like manner there is a progress in art from architecture to sculpture, from sculpture to painting, from painting to music, from music to poetry, and from poetry to prose. All these have their root in a common sentiment; they are all manifestations of religious feeling working through the imagination, and

there is no instance on record of supreme excellence in art, except in times of religious enthusiasm or among a people distinguished for religious sensibility. Art first built a temple to the gods, consecrated it with their images, beautified it with pictures of sacred scenes out of their lives, celebrated their praises in music and poetry, and, finally, recorded the fact and philosophized about it in prose. Thus in all its forms and creations it is but an expression of this first, deepest, and holiest emotion of the human soul.

The theory enunciated by Vitruvius and recently by Hope, and tacitly assumed by Ruskin, that architecture had its origin in the rude efforts of man to shelter himself from the inclemencies of the sky, is not only false in principle, but at variance with fact. The hut of the shepherd, the tent of the nomad, the wigwam of the savage, and the cave of the troglodyte, which have been regarded as so many germs of architecture, have really no more connection with it than the den of the tiger or the lair of the wolf. It was from the impulse of religious feeling, and not under the stimulus of physical wants, that man became an architect. The temple is older than the house. Indeed, such a thing as domestic architecture was unknown previous to the Roman Empire. According to the old Hebrew legend, Adam built an altar to God before he put a roof over his own head. The earliest and rudest structures now existing on the face of the earth were dedicated to deities.

Much misconception will be avoided if we remember that a temple is not necessarily an edifice. This may be its accidental form, but does not constitute its distinctive character. It is essentially, as the etymology implies, (τέμνειν, to cut off or set apart,) a consecrated spot, like that where Noah offered sacrifice when he issued from the ark. The hollow cedar containing a rudely carved image of the Arcadian goddess, of which Pausanias (VIII. 13. 2) speaks, was as much a temple as the Parthenon or the Pantheon. Indeed, the first temples seem to have been hollow trees in which images were placed: the Dodonean Jupiter dwelt in a beech, the Ephesian Diana in an elm, and it was not until 600 B. C. that she was honored with a temple in marble; and among the Germanic nations of Northern Europe, we find that the three gods of the ancient Prussians

were worshipped in a sacred oak at Romove.* A Druidical circle of rough stones, like the celebrated Stonehenge, is as truly a temple as the classic peristyle. It may consist of a mound of earth, a solitary column, or a high rock like that on the shores of Lake Winnipeg, which the aborigines were accustomed to crown with wreaths of leaves and flowers; they are all alike sacred offerings to the gods, the tree and the monolith, as well as

> "Doric pillars,
> Cornice, and frieze, with bossy sculptures graven."

The Egyptian obelisk in Rome on whose granite sides are inscribed hieroglyphic hymns in praise of the sun, is as truly a temple as is the Basilica of St. John Lateran, before which it stands. The cavern, or the rude lodge of wattled saplings, in which the primitive man found protection against heat and cold, may be the origin of house-building; but it is the stone pillar or the hollow tree with the consecrated image in which we must seek the origin of temple-building, which is the source and genesis of all architecture.

Common usage applies the word *architecture* to every beautiful edifice; but there is essentially as much difference between temple-building and house-building, as there is between a moral and a meteorological necessity. In house-building everything is made subordinate to comfort and convenience. There may be displayed much mathematical knowledge and mechanical skill, but these do not raise it to the dignity of a fine art; it is still a handicraft. A house thus designed with inflexible reference to utility is no more architecture than a ship or a railroad. It may turn out to be beautiful, and so may the ship, which was built only to do service against wind and wave, or the steam-car, which moves wholly in obedience to mercenary impulses towards economical ends. The same movement of muscle may mould dough to make bread or clay to make statues, but how different is the spiritual process in each case. Architecture among the Greeks was never associated with the idea of use, and they made no pretensions to it in the construction of private dwellings. Athens was by no means a fine city like some of our modern ones, with whole streets of palaces occu-

* Voigt, *Geschichte Preussens*, I. 580, 595.

pied as the residences of private citizens. A stranger could have walked from the Piræus all through the lower town without imagining himself to be in the city which contained the greatest masterpieces of architecture. He would observe these only as he approached the public square and the Acropolis. We learn from Herodotus (V. 62) how small and insignificant, according to our notions, were the houses in which men like Themistocles and Aristides lived. As luxury increased, dwellings were built on a larger scale, but even these made no claims to architectural beauty, and did not rank among works of art. Yet they were regarded by the public with suspicion. Such was the house of Midias, the Athenian millionnaire, which he erected at Eleusis, and for which he was severely censured by Demosthenes. Architecture put to private uses would have been to the Grecian mind an ostentation bordering on impiety. It was employed solely and sacredly in the construction of temples till after the Persian war, when it was applied also to theatres, concert-halls, porticos, gymnasia, and public squares; but this too was a sacred use, inasmuch as all these places and edifices were dedicated to some divinity.*

It is true that in the heroic age we discover a tendency to beautify the residences of princes and make them objects of art; such were the mansions of Menelaus and Alcinoüs as described in the fourth and seventh books of the Odyssey. But it must be remembered that these palaces were essentially palace-temples, and that with them was associated the idea of hero-worship. Art can never develop itself freely when it comes in contact with utility. The Greeks scrupulously avoided this antagonism. The best house-builders in Athens would not have presumed to place themselves on a level with Ictinus and Kal-

* What is here said of architecture is, of course, true of all the fine arts. Pausanias, who travelled through Greece in the second century of the Christian era, and described the works of art then existing, does not mention a single one as the property of a private citizen. So when Verres plundered Sicily, his accusers, who cannot be supposed to have concealed anything, charge him with carrying off only public works of art; at the same time, it is said that he appropriated these treasures wherever he could find them; and if private persons had possessed such works of art, nothing would have prevented him from taking them. To be sure, Cicero speaks of four statues taken from a certain Heius. But they stood in his *sacrarium* or chapel, not in his house, and were therefore public, in the sense of being consecrated to a religious use.

licrates, the builders of the Parthenon. However great their constructive skill, they were still mechanics and not architects. Posterity did not treasure their names; they passed away and were forgotten with the cessation of those physical wants which it was their sole office to supply; whilst the memory of the architect remained as imperishable as the divine conceptions which he sought to express. Secular architecture grew up out of national decay and religious degradation. With the deification of the Roman Emperors certain parts of the temples were transferred to the imperial palaces. Julius Cæsar was the first man who adorned his house with a pediment, and even he was permitted to do it only by a special decree of the Senate. Thus gradually, and as it were under protest, began the decline of sacred architecture. The change advanced with the degeneracy of the people and the darkening of the religious consciousness. Columns were attached to the villas, and private dwellings were decorated with pilasters and rich entablatures. This desecration of the temple-style culminated in the famous "Golden House" of Nero, in the vestibule of which stood his own colossal statue one hundred and twenty feet high. The distinction between house and temple being thus broken up, sacred architecture became rapidly secularized in the midst of a vast material civilization, which seems almost to have deified roads, bridges, aqueducts, triumphal arches, the circus, and the Colosseum.*

Gothic architecture also, in its origin, was devoted exclusively to the services of religion. The nobility and rich laity lived in rude habitations destitute of all artistic embellishments, at a time when the great cathedrals, with windows of gorgeous colors and carvings of exquisite beauty, were erected and consecrated to the Church. It was not ignorance of art, but a sense of its sacredness, that lavished so much wealth and taste on the religious edifice, whilst the walls of the house were left bare. But with the rise of feudalism the castle began to adorn itself

* Among the Romans, religion was degraded into a mere function of the state; and patriotism (an intense but narrow sentiment) became the inspiring principle of art as well as of morals. Thus the themes of Roman sculpture were not religious, but patriotic, and represented, not gods, but heroes; they sought their ideals of excellence, not in the genealogical records of Olympus, but in the annals of their own robust virtue and prowess.

with the spoils of the cathedral, just as the palaces and villas of the Roman Emperors rivalled the temples in architectural grandeur, so soon as those Emperors usurped the attributes of deities.

Thus we find that all art originates in reverence of feeling, and aims at religious edification. It is typical, not transcriptive; and, like an alphabet, uses forms as signs of ideas, not as mere ornaments or imitations of things in nature. From this point of view, we appreciate at once its value as a permanent and impartial record of the human race. Every monument of art is an historical document. Temples and cathedrals are chronicles in stone, primitive books in which letters and syllables of marble are linked with words and phrases of granite into the most gigantic combinations of thought. Such are Karnac and that Titanic plagiarism, St. Peter's, in which Michel Angelo piled the Pantheon on the Parthenon. The first letter in this early alphabet of architecture was a simple monolith, or perhaps a single stone set upright with a huge rock on the top forming a T. Such are the Cyclopean literatures of Asia and Europe, the most ancient monuments of Mexico and South America, and the prehistoric sculptured stones which the Druids have left scattered over the moors of Northumberland. Each was the symbol of a thought, the centre of a group of ideas, the utterance of a sacred language, the mystic record of an occult philosophy and cosmogony; and in the multiplication and combination of these detached monoliths we can trace the progress of columnar architecture through all its phases, from the rude cairn to the graceful colonnade; in fact, the Doric peristyle is only a revised edition of the Celtic cromlech.

The fundamental styles of architecture are very few; they can be counted on the fingers. By fundamental we mean founded on a single idea, to which all the details are subordinate. All other styles are secondary, inasmuch as they are formed from the union of two or more ideas, and are for the most part only adaptations of architecture to secular purposes, in which the symbolical significance is lost sight of; so that, according to the strict definition, they are not styles of architecture at all, but mere fashions of ornamental stone-masonry.

These it is no profanation to put to secular uses: indeed, it is their proper office. On the contrary, there can be no greater incongruity than to bring any of the primary forms of architecture into juxtaposition with warehouses, railway-stations, or any of the associations of trade. What can be more absurd than an exchange for bulls and bears built in the Gothic style, a custom-house in the style of the Parthenon, or a Greek cornice over the shop-window of a greengrocer! You might as reasonably transfer the miniature paintings of an old Italian missal to the pages of a ledger, or adorn the periphery of a millstone with the reliefs which Phidias sculptured on the sandals of Minerva.

The most prominent of these fundamental forms of architecture are the Oriental, the Grecian, and the Gothic. The first (of which Hindu and Egyptian may be taken as representatives) symbolizes *weight;* the second signifies *support;* the third expresses *ascension.* These three ideas graven in architecture correspond to the three mental stages of *sensuality*, *intellectuality*, and *spirituality;* so that in each of the triad is reflected the peculiar character of the religion and the civilization which produced it. There is no material form so suggestive of weight as the pyramid, or the cone, which is essentially the same. It is the form which all loose particles of solid matter on the surface of the earth assume under the action of the law of gravitation. The pyramid is the nucleus of all Egyptian architecture; the whole structure (cornice, doors, mouldings, even to the decorations) is composed of pyramids or segments of pyramids. The same form was given to the apex of the obelisk which stood in front of the temple, like a giant finger pointing to the sky for the key of its hieroglyphic mysteries. This sense of weight, of massive and gloomy duration, is intensified by the narrowness of the intercolumniation. The pillars with bulging bases are set as thick as possible; it would seem as if only a mountain-chain of granite were a fit burden for them; yet there is in reality no immense superstructure requiring for its support such an excessive outlay of strength. It did not then spring from a material necessity, but was employed to express a fundamental idea. In what more concentrated formula could it be embodied than

in these huge masses of the quarry, endowed with the sluggish life of the crocodile and the Nile-plant? We read the same thought in the features of that slowly living rock, the giant Sphinx, whose sad and peaceful eyes have watched the flitting of a hundred generations of men; in the colossal ruins of Persepolis; in the theocratic masonry of India, the vast excavated temples of Ellora and Elephanta, written over with mythological and allegorical sculpture, in which are represented the divine energies and attributes according to the Braminical theology. In these structures, not less clearly than on the pages of the Veda, are inscribed caste, immobility, pantheism. They are the symbols of a being in whose immensity all personalities are merged, all human force and faculty are lost, — of a deity identified with the universe, whilst men

> "Are but organic harps diversely framed
> That tremble into thought, as o'er them sweeps,
> Plastic and vast, one intellectual breeze,
> At once the soul of each and God of all."

In Grecian architecture the column is the most conspicuous feature, and has a right to this prominence from the fact of its being the principal supporting member of the edifice. The wall, so far as it exists, serves only as a veil to the interior, and as to any office it performs in upholding the building, instead of resting on the basement it might as well have been suspended from the entablature. The elements of this style in its simplest expression are the post and the lintel. They convey the idea, not of weight merely, but of weight well sustained; in other words, not gravitation, but the capability of resisting it. Without specifying, we may say that this idea enters into all parts of the structure: the elliptical flutings and the graceful curvature or entasis of the Doric shaft, the inward inclination of the axes of the outer columns, the gentle swell of the stylobate or basement, all carry out the fundamental idea of symmetrical and elastic strength.* It is the

* Penrose ascertained by accurate measurement that the stylobatic swell of the Parthenon was four inches for the length (227 feet), and three inches for the breadth (101 feet); and that the concentric inclination of the columns (65 feet high) was one and a half inches. Thus, by obeying a nice law of optics, the structure was relieved of the dead, sagging heaviness which a perfectly horizontal base and ver-

symbol of serene and conscious power, the type of the Greek intellect, the embodiment of law and order as well as of grace and beauty, the highest expression of an ideal humanity. Compared with Oriental architecture, the Hellenic temple is an advance from the dark rock to the pure crystal, from the coal to the diamond, from the worship of nature to the deification of man. The best representative of this style is the Doric Parthenon, erected about 437 B. C. on the site of the older temple which was burnt by the Persians. It was built wholly of Pentelic marble by the architects, Kallicrates and Ictinus, under the presiding genius of Phidias. Nothing could better express the fine balance of the Greek mind, and the quiet spirit of beauty that shed its influence over Grecian life, than the perfect symmetry of this fair house of columns. In its external history also is mirrored the history of the Hellenic race. For nine hundred years it stood on the sunny brow of the Acropolis, far above the daily turmoil of the lower city, a sublime and perpetual offering to the tutelar goddess of Athens. During the fifth century of our era it was transformed into a Christian church, and for more than a thousand years the Virgin Mary sat in the seat of the virgin Minerva. It then became a Turkish mosque, and remained consecrated to the service of Mohammed so long as the Greeks themselves were the slaves of the Moslem power. On the 28th of September, 1687, a shell was thrown into it by the Venetian general, the Count of Königsmark, who was besieging the citadel. The Turks had converted the temple into a powder-magazine, which of course rendered the destruction of the edifice more complete. Since that day it has been plundered by every antiquarian adventurer, as Greece herself has been the prey of every nation. Now it stands a magnificent ruin, serving as a storehouse for the preservation of other ruins, — a fit image of the whole Grecian peninsula.

The fundamental idea of Gothic architecture is weight, not supported merely, but annihilated. The constructive signifi-

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tical shafts would have inevitably produced. This is the reason of the advice given to the architect by Vitruvius (III. 4. 5): "Stylobata ita oportet exæquari, uti habeat per medium adjectionem per scamillos impares, si enim stylobata ad libellam dirigetur, alveolatus oculo videbitur."

cance of the building centres in the keystone of the arch. By this means it is supported from above, the very downward pressure inherent in the masses upholds them, and the tall pile

"By its own weight stands steadfast and immovable";

the law of gravity is suspended or counteracted by vital force; the vaulted roof and storied arches seem hung in the air, and solid matter is endowed with the utmost lightness and aeriality. Thus the whole edifice expresses, not counterpoise, but ascension, aspiration, — spire, tower, buttress, clear-story, and pinnacle all rise to heaven, and indicate the spirituality of the worship to which they are devoted. This airy effect is increased by the numerous openings, lancet, trefoil, and rosette, which perforate the sides, transforming them into walls of many-colored windows. The cella of the Greek temple is small and extremely simple in ornamentation, but around it are open corridors richly adorned with statues and reliefs. Thus its beauty is wholly external. On the contrary, the inner walls of the Christian church are large and lofty, and the spaces covered with paintings and sculpture. The Greek architecture is clear, symmetrical, objective, and wonderful in unity, like a tragedy of Æschylus; the Gothic is the fruit of a fuller consciousness and a deeper spirituality, manifesting a more richly developed individuality, and unfolding in an infinite variety. The cathedrals of the Middle Ages are the embodiment of an ecclesiastical inspiration animating a whole people, and owe their origin to that excess of religious zeal which found another and wider outflow in the Crusades. From the fact that they rose like an exhalation over all Europe soon after the first Crusade, historians have endeavored to trace a connection between them and the East, and have rummaged the ruins of Persia and India to find some evidence that the Oriental nations were acquainted with the use of the pointed arch. A little attention to the psychology of art would have prevented this error. Gothic architecture is connected with the Crusades only as an expression of the same spiritual enthusiasm.

The progress of science and civilization consists in this, that every idea disappears in a higher idea. A new thought reveals

itself, and the world that seemed so fixed becomes fluid again, and takes another shape as it spins around the axis of this new thought. The discovery of a simple hydrostatic principle rendered superfluous the stupendous masonry of Roman aqueducts. They were built to weather the assaults of ages, but they were all toppled down by the breath of one thinking man. Thus one art overturns another. During the Middle Ages the ascendant art was architecture, including, as subordinate branches, sculpture, which chiselled the portals, and painting, which illuminated the windows. All the intellectual and æsthetic energy of the age converged to this one point. The stuff that now makes the poet then made the architect, the sculptor, or the painter. The inspiration which now produces a book then produced a building. The thinker, unwilling to intrust his thoughts to the fleeting breath of a wandering minstrel, or to a perishable manuscript which few had either the ability or opportunity to read, wrote them on enduring tablets of stone, and lifted them up before the eyes of all men. In this literature of the quarry, Abelard's free-thinking found utterance, as well as Hildebrand's hierarchy. Every change of public opinion and all social and political revolutions are recorded here. Even the scepticisms and heresies that crept into the Church are sculptured on its walls and over its portals, in chisellings as caustic as the epigrams of Rabelais or the drops that flowed from the pen of Erasmus.* But when

* The altar remained sacred to the priest, but the rest of the building was given over to the architect, on which he indulged his genius, often in derision of the established ecclesiasticism. In the Byzantine transept of the graceful Friburg Minster are reliefs of the twelfth century representing a wolf in a monk's cowl reading the missal with pious mien; one eye is fixed on the page, but the other casts a ravenous glance towards a lamb which is approaching the confessional. Also at the entrance to the choir are sculptures of monks and nuns in the garb of Bacchanals, Sirens, &c. In like manner, the clerical caste ridiculed the serfs by representing them in grotesque attitudes as telamones and gargoyles, or by putting them to perform other servile offices in different parts of the edifice; but these degrading functions ceased to be assigned to them after the emancipation of the Frank and Norman vassals, so that that great social and industrial revolution is recorded in architecture. During the tenth century there prevailed a popular expectation that the reign of Christ on earth would commence in the year 1000. The anticipation of this event is plainly observable in the art of that period, especially in miniatures Thus in the eleventh century Christ is no longer represented as the Good Shepherd bearing on his shoulders the wandering lamb back to the fold, but as the stern,

Guttenberg invented movable types, and in company with John Faust established his little printing-press at Mentz, in the year 1450, the life of architecture went out. It is easier to print a word than to hew a stone, to shape a sentence than to erect a column, to publish a book than to put in motion tons of material for the purpose of translating a thought into a building. Besides, the ubiquity of the printed page more than compensates for the durability of the sculptured stone. The paper leaves that fly abroad and fill the earth are more imperishable than piles of solid masonry. A second irruption of barbarians might blot out forever the famous *stanze* of Raphael, and obliterate the cycles of Sibyls and prophets culminating in "The Last Judgment," in which Michel Angelo has traced the origin, growth, and final dispensation of theocracy; but the thought once impressed on the printed page is not subject to such contingencies; it is "exempt from the wrong of time and capable of perpetual renovation." Thus the craft of the printer, by furnishing the readiest mode of utterance, and, at the same time, the best means of preserving the thing uttered, superseded the primitive didactic vocation of the artist; henceforth his function was to adorn the doctrine which he had hitherto been required to teach.

However beneficial the invention of printing may have been to the advancement of science and the spread of civilization, it necessarily exerted an influence unfavorable to art, and especially to architecture. Architecture coming in conflict with it made a desperate struggle for life. It went back to Rome and Greece, and engrafted classic on Christian art, producing the period known as the Renaissance, which afterwards degenerated into the Rococo and Periwig of the seventeenth and eighteenth centuries. But it was in vain. All the past could not save it. It is virtually dead, and we shall never build

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inexorable Judge, the *rex tremendæ majestatis*. It was through this medium of art that the Second-Advent prophets of the Middle Ages published their ideas to the world; and for centuries afterwards these Millennial themes — Death, Judgment, Heaven, and Hell (called the "Quatuor Novissima," or Four Last Things) — continued to excite the imagination, and culminated in the sacred trilogy of Dante, the *Dies Iræ*, the sublime frescos of Orgagna, Luca Signorelli, and Fra Angelico, and Holbein's ghastly "Dance of Death."

cathedrals so long as we can print cyclopædias. There has been no great architecture since the sixteenth century. The last of the giant builders was Michel Angelo, who died in 1564, the year in which Shakespeare was born; and even he expressed himself in this form less freely than his predecessors. With the same cubic feet of material, Brunelleschi of the fifteenth century is grander than Michel Angelo of the sixteenth. Compare the dome of Santa Maria dei Fiori in Florence with that of St. Peter's in Rome, and the former displays a deeper intelligence and a finer flow of originality. In the latter, the sublime is to a great degree lost in the merely stupendous. The only great attempt at Gothic architecture in the present century — the New Palace of Westminster — is a most signal failure. In comparison with the old Abbey that stands near it, it is an empty and frivolous gewgaw; and yet the Abbey itself is far inferior to the great cathedrals of the Continent. The profusion of ornament which Sir Charles Barry lavished on the edifice could not hide its real decrepitude. It does not enkindle the faintest spark of creative interest. It is the cold mechanical imitation of what ceased to be an inspiration more than three centuries ago, the hollow mask moulded on the face of a dead civilization. It is "a monument of Gothic art" in a far different sense from that in which the guide-books employ those words.

Next in the ascending series of the fine arts stands sculpture. Originally, as we have seen, it was closely allied to architecture, and for a long time subordinate to it. The statues of India and Egypt are all essentially architectural; with half closed, heavy eyes, and arms pinioned to their sides, they lack life and liberty. Greek statuary, on the other hand, is endowed with a freedom and individuality corresponding to the emancipation of the religious consciousness of the Greek people. This freedom, however, was only a gradual attainment on the part of the Greeks. "Life is short, and art is long," and the perfection of all human productions is not to be reached by the efforts of a few generations, much less within the hour-glass of one man's life, but depends on the accumulated labor and experience of successive ages, each mounting higher than the former by a slow, spiral ascent, which

often seems like moving on a dead level. Thus the earliest Greek sculpture is only a slight advance beyond the Indian and the Egyptian, and appears to have been derived from them. It is a different stage of the same type, another expression of a religious symbolism, in which every attitude, limb, and feature has some moral or intellectual significance. Consequently we find in the remotest periods of Hellenic art images which we might expect to see only on the banks of the Nile or the Ganges. Three-eyed Jupiters,* four-armed Apollos,† a Bacchus in the form of a bull,‡ a Eurynome like a mermaid, a colossal Diana with ten hieroglyphic tiers of breasts, and a black Ceres with the head of a horse encircled with serpents.§ The period which produced these monstrosities was pantheistic; they are the embodiments of the old Orphic theology, in which the gods were regarded as substantial potencies or powers of nature, prescriptive types of ideas and qualities to which we do not always possess the key. Apollo was originally the sun-god, extending his arms on all sides like rays of light. But as light is the emblem of knowledge, he became the god of prophecy and the corypheus of the Muses, and finally was endowed with a distinct personality as the god-man, the ideal of spiritual power and beauty. So it was with the oldest images of all the deities, which were supposed to have fallen from heaven. They were highly symbolical in their purpose, and very stiff and conventional in their mode of representation. In some of the most primitive temples they were mere blocks of wood or stone, with limbs and lineaments rudely indicated by lines drawn on or deeply cut into the surface, after the manner of Egyptian basso-rilievos. In others the divinities are not distinguishable from each other in form or feature, but only by their emblems, — the thunderbolt, the trident, the caduceus, or the palm-branch. They were not intended to resemble persons, but to represent principles. The lively imagination and symmetrical mind of the

* Pausanias, II. 24. 5.

† Libanius, I. p. 340. 7 : οἷον ἐν Ἀπόλλωνος τετράχειρος ἀγάλματι.

‡ Plutarchus Mor. p. 364, E: ταυρόμορφα Διονύσου ποιοῦσιν ἀγάλματα πολλοὶ τῶν Ἑλλήνων.

§ Pausanias, VIII. 42. 3.

Greek soon revolted against these bungling and materialistic methods of expressing attributes. The hundred hands of Briareus and the multitudinous eyes of Argus are cheap and childish contrivances to indicate power and intelligence, compared with the ambrosial curls and knitted brow of the Olympian Jove or the prophetic glance and majestic front of Apollo. Yet so slow was the growth of art even in Greece, that after Dædalus had half-freed the statue from its original clay by opening its eyes and separating its legs, eight centuries elapsed before it became a living soul under the hand of Phidias.

Sculpture, as well as architecture, was at first employed exclusively in the service of religion, and even during its palmiest days, in the age of Pericles, it continued to be devoted to this end in all its highest efforts. In Athens there was doubtless much stone-cutting and wall-painting applied to the daily necessities of life, but statues and pictures, as objects of art, were, as we have said, unknown in private dwellings. Before the time of Socrates there is not a single instance of a portrait bust; and portrait-painting was first practised in the school of Apelles, a contemporary of Alexander the Great. Pausanias (I. 46) informs us that a certain Phryne contrived to gain possession of a statuette of Cupid made by her lover Praxiteles; but she dared not incur the danger of keeping it, and consequently atoned for her impiety by consecrating it as a public work of art at Thespia, her native city. In Athens there were no private galleries of art, such as we find in modern European cities. Phidias was forbidden even to put his name on the statue of Minerva; and because it was alleged that in the representation of the battle of the Greeks and Amazons, which adorned the shield of the goddess, he had introduced among other figures the portraits of himself and his friend Pericles, he was accused of impious ambition and thrown into prison, where he died. It was not until the Macedonian age that the plastic arts began to forget their sacred destination, and degenerate into means of gratifying the luxury of individuals. The function of the sculptor was half priestly; he was the commissioned interpreter of the gods. We are told that, when Phidias had completed the Olympian Jove, the lightning fell from heaven and touched the statue in approbation of the

work. It is this sense of sacredness that confers a value on these forms. In the progress of sculpture, from the brute shape of an Ephesian Diana to the beautiful proportions of an Apollo Belvedere, we can trace the progress of theological ideas from pantheism to anthropomorphism.

The same is true of Christian sculpture and painting. In the Middle Ages, as in Asia, in Egypt, and in Greece, art began with religious themes. Architecture, as we have seen, led the way, and became the parent of the whole family of arts. It is difficult for us to form a conception of the sacredness which surrounded the vocation of the mediæval artist. He had a higher aim than technical beauty, the glories of color, or feats of anatomical skill. It was a holy office committed to consecrated hands. The academies of art in those days were religious fraternities and societies for spiritual edification. Such were the schools of Siena and Florence during the fourteenth century. The code which prescribed the qualifications for membership laid more stress on personal piety than on technical skill. A Spanish sculptor who broke in pieces a statue of Christ because the purchaser refused to pay the stipulated price, was convicted of sacrilege by the Inquisition. As an artist he was ordained to a holy task. The marble became in his hands what the wafer is in the hands of the priest, a sacred thing; and as it was moulded into form, it received a consecration which took it from the possession of the individual and placed it under the protection of the Church.

To this habit of thinking, more than to any influence of climate and social customs, the Greeks owed their supremacy in sculpture, and the mediæval Italians their superiority in painting. On this ladder art ascended to the heaven of its divineness. Its objects were not deified by their beauty, so much as beautified by their divinity. The artist was at the same time a worshipper, to whom the expression of beauty was a service of piety, and from the depths of whose fervent religious emotion sprang forth a throng of shapes flashing with all the lustre that devotion could lavish upon them. The rude, unfashioned stone, before which the Arcadian bowed in reverence, was like a magnet that set in motion all the invisible currents of his religious nature. It was this fine susceptibility to mental im-

pressions derived from material images, aided by an exquisite perception of the significance and æsthetic value of form, that enabled Grecian art to break the tough chrysalis of a conventional type, and emerge free and gloriously transmuted.

In sculpture still more than in architecture the thought predominates over the material, and is more clearly expressed in it. It is therefore a higher art than architecture. The material is the same, but it takes a bodily form, and thus advances from the inorganic to the organic. It is not merely erecting a temple, but it is building a human body, the temple of the soul. The perfection of sculpture rests on the correspondency of soul and body, on the idea of the supremacy of the psychological over the physiological, that every soul builds its own body and finds in it an adequate expression of itself; as Spenser says,

> "For of the soul the body form doth take,
> For soul is form, and doth the body make."

In painting the spiritual predominates still more over the material; in fact, one of the primary qualities of matter is eliminated, viz. thickness. A painting has only two dimensions, length and breadth. Sculpture uses the same substance as architecture, but it controls and permeates it more completely; there is no superfluous residue, nothing that is not filled with life. In the glow of the artist's inspiration, the marble becomes as wax in his hands, and is easily moulded to the image of his thought. Painting, in its purer ideality, works in a finer substance. It represents the life of the soul, not in the heavy masses of sculpture, but in the play of light and shadow on a colored surface. The simple fact that painting can represent that "world of eloquent light," the human eye, gives it a vast superiority over the somnambulic forms of sculpture; although it must be confessed that this limitation of sculpture is not without peculiar advantages, for the light which is withdrawn from the eye is diffused through all the members, spiritualizing them, so that the statue seems only to have been

> "laid asleep
> In body, and become a living soul."

Sculpture is best employed in isolated figures, and seldom ventures beyond the representation of small groups in which

the characters are intimately related; such as man and woman both together constituting one complete human being; the youth, the maiden, and the mother; Laocoön and his sons in the folds of the serpent; Sleep and Death, as seen at San Ildefonso in Spain; or the celebrated trinity of Scopas and Praxiteles, personifying the kindred affections, Eros, Himeros, and Pothos. It is only in basso-rilievo that it can express the complex interests of heroic or dramatic sentiment consistently with grace and dignity; and all the larger groups of free sculpture which antiquity has bequeathed to us, such as the Niobe, the Elgin and the Æginean marbles, were purely architective, i. e. they were employed as reliefs to adorn the metopes and pediments of temples, and were therefore in their nature and use pictorial. Painting, on the contrary, does not stop with the single portrait or the group, but, by means of foreshortening and perspective, blends the far and the near into great compositions, epic, historical, and allegorical. The oldest sculpture is architectural, and the oldest painting is sculpturesque. Each grew up in apprenticeship to its predecessor before it appeared as a master-art. Sculpture, in the different phases of rilievo, was first employed as a decoration in connection with temples, and color was originally applied to enliven and heighten the expression of statuary. Thus they are all united in a vital continuity of development; emanations of the same pious enthusiasm, and devoted to the same spiritual service.

Few will doubt that the Reformation gave us a sounder morality, a more beautiful charity, and a purer doctrine; but, at the same time, it was attended with a great decrease of that superabundant religious sensibility which overflows in all manner of idolatries. What the moral being gained, the imagination lost. An abstract and metaphysic creed seldom leads the worshipper to the cultivation of any supererogatory and luxurious devotion. It abjures the images of the Saviour, the Virgin, and the saints, and watches over the dry spirituality of its worship with iconoclastic jealousy. Even the consecrated walls have been stripped of their sacredness, and the word Church transferred from the edifice to the invisible body of the devout assembly. But, above all, the Reformation unsealed

the Bible and put it into every man's hand, and by this simple act thrust aside the statues and the pictures which had hitherto been the chief authorized and accessible interpreters of religion. Christianity, however, even from an æsthetic point of view, does not find its fullest and highest expression in the sublime conceptions of Michel Angelo, or in the forms of beauty which grew up under the touches of Raphael's pencil, but seeks a more spiritual medium of utterance in music, poetry, and prose; in these, especially in the last two, Protestantism records the most splendid achievements. It shines pre-eminently in its literature.

Of the five senses with which man is endowed, only two are inlets of beauty to the soul, namely, the eye and the ear. The ear is a more spiritual organ than the eye, furnishes a readier access to the soul, and contributes more to mental culture and the growth of the finer feelings. Through the eye, the soul pours itself out on the external world; through the ear, it draws into itself by mysterious cords the spiritual content of the external world. The eye is peripheric; the ear, central. By means of the former, we see the outer man, what he does; by means of the latter, we get the most perfect conception of the inner man, his thought embodied in speech. Sight conveys a knowledge of form and of the mutual relations of things in space; sound gives us an idea of their internal structure. We know that a body is hard, dense, brittle, or elastic, not from its shape, nor even from its resistance to pressure, but from the tone which it emits when in vibration. By this we are made acquainted with the ultimate constitution and arrangement of particles underlying all tangible and visible qualities.* We conclude, then, that the speaking arts, which address themselves to the ear, are higher and more spiritual than the imaging arts, which are addressed to the eye. The first of these speaking arts is music. Painting, as we have seen, is a mere surface, having only two dimensions. Music

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* It may be true that men are less moved by what they hear than by what they see: —

> "Segnius irritant animos demissa per aurem,
> Quam quæ sunt oculis subjecta fidelibus, et quæ
> Ipse sibi tradit spectator."

The eye, it is true, takes in and interprets more quickly, but the impressions are less deep and lasting than those received through the ear.

is still freer from physical conditions; it leaves out all relations of space, and stands midway between a thought and a thing; its material is sound, which does not occupy space, but develops itself in time. The vibrations which produce the tone are indeed propagated in space, but they are not the tone; they are its scientific explanation as a phenomenon, but are never associated with its effects. Music is the natural expression of feelings, as speech is the natural expression of thoughts; acting immediately on the emotions, it bears only an indirect relation to ideas, which it never calls up except by association. Music, the language of feeling, cannot be adequately translated into speech, the language of thought. It enlivens and directs the imagination and fills the soul with delightful revery, but it lacks precision; it is ineffable, it cannot be told in words. In this apparent defect lies the real and peculiar power of music. Sentiment is at once more and less than thought; more, because in the emotions lie the germs of many thoughts; less, because these germs are only possible thoughts; there is more substance in the feelings, more clearness in the thoughts. Men are less separated in the former than in the latter. The whole world fraternizes in music; it is a universal language; it is the inarticulate voice of the heart, recognized by and appealing to all.

Every art has certain limitations beyond which it cannot pass with impunity, and the attempt on the part of music to express ideas, or to represent things, has always turned out disastrous. In striving after the mere illusion of the ear, it is degraded from its high function. Its greatest achievements are not to whistle like a bird, to ring like a bell, or to bang like a culverin. The climax of absurdity in this respect was attained in the musical buffooneries of the German and Italian contrapuntists of the seventeenth century, who employed all the resources of violin and oboe in giving the cackle of a hen, or in rendering in *legato* the "linked sweetness long drawn out" of mewing cats, with an occasional *staccato* thrown in by way of a spit. Thus the sheep of Marcello bleat in soprano, and the oxen low in contralto, all of which may have been very ideal and edifying to the Venetians, who might never have an opportunity of hearing those animals. There is a

sublimity in a natural storm which even the best performer of Steibelt's musical one fails to represent by tipping the upper notes in imitation of rain-drops and rumbling among the lower keys with both hands full of thunder. In this gross mimicry of sounds, music, the purest of the arts, is degraded to a juggler's trick. It may excite gaping astonishment and gratify low curiosity; so does the man on the market-place who swallows tow and pulls ribbons out of his mouth. Paganini was a genius, but when he strove after vulgar effect by fiddling on one string, he was no better than a clown cutting antics on a tight rope; and Eulenstein playing a tune on sixteen Jews-harps stands no higher as an artist than the Italian harlequin who keeps six oranges in the air. In favor of imitative music some may be disposed to cite examples from the great masters, — the magnificent Hailstorm Chorus of Handel, or the plaintive cuckoo-notes of the clarionet in Beethoven's Pastoral Symphony. But here the end sought is not a barren imitation; the rage of the elements and the song of the bird are lost sight of in the grander themes which they suggest, and blend with the whole composition in harmonious subordination to a spiritual purpose. So little indeed is music a mere reproduction of the sounds that enter through the sensual ear, that the peculiar grandeur of Beethoven's compositions is attributable in a great measure to the deafness which afflicted him during the latter half of his life. What celestial melodies entranced his soul in the midst of the silence of earth!

If we compare music with painting, we shall see a striking resemblance in the materials of the two arts, — in the seven tones of the diatonic scale and the seven colors of the solar spectrum. Dark and light colors produce effects corresponding to those produced by deep and high tones; such epithets as gentle, subdued, loud, &c., apply equally to both. There is also a moral quality in colors as well as in tones; gray, of which Michel Angelo was so fond, is full of gravity and sublimity. This correspondency between sound and color, however, is wholly subjective, and may be to some extent visionary.

Objectively and constructively, music is analogous to architecture. The fundamental law of the latter is symmetry and proportion; that of the former, rhythm and harmony; but

what those are in space, these are in time. Architecture is the symmetrical arrangement of a solid material, — metal, wood, or stone; music is the audible tone ringing off from this material in vibration. The physical body is architecture; the spiritual body is music. Thus the lowest of the speaking arts is only a spiritualization of the lowest of the imaging arts; and this is what Hegel meant when he defined music to be architecture translated from space into time. In it geometry rules over the tenderest emotions, and all its subtile harmonies are woven in a mathematical frame-work. Meyerbeer's Prophet rests on the theorems of Euclid. The same principles led to Kepler's Law and to Jenny Lind's Bird-song; and it is a fact perhaps worth considering, that the divisions of a musical string have a near correspondence to the relative distances of the planets from the sun; so that the Pythagorean doctrine of the harmony of the spheres may, after all, have a scientific basis. Vitruvius maintained that he who would excel as an architect must be also a musician; and Goethe in conversation with Eckermann (II. 88), calls architecture a petrified music, because the impressions produced by each are similar. The cathedral is a vast organ, whose melodies are fixed in stone, and reach the soul through the eye, instead of through the ear. Apparently there can be no greater contrast than the heavy masses of architecture, and the flowing, ever-changing tone-waves of music; yet they are intimately related, and the fitness of the temple-music to the temple is complete, like the union of soul and body or the unity of thought and word.*

Historically also the tone and temper of every stage of culture and type of civilization are reflected in its music. It is well known that there is a great variety of keys, majors, minors, sharps, flats, &c., which are supposed to have a peculiar adaptation to the manifold moods of mankind; but the truth is, the musical ear of humanity changes

* It may seem strange at first sight, that, whilst there are women who have won fame as sculptors, painters, poets, and prose-writers, female genius appears to be wholly excluded from architecture and music, and we are unable to recall a single instance of a female architect or a female composer of any eminence. This is an additional evidence of the analogy between these arts, and is due to the fact that both of them rest on a mathematical basis.

from age to age, so that the same key is employed at different periods for different purposes. The fact that G minor in Schubert's Erlkönig is used to express a sentiment of heart-chilling horror, is no guaranty that it could be employed by a composer of the year 2000 to produce the same effect. Dorian music was in the key of D minor, but the firm and manly qualities which Aristotle and Athenæus attribute to it belong, according to our feeling, rather to C major, the key of Phrygian music. Thus we have literally made a leap *a dorio ad phrygium*. To the ear of the eighteenth century G major was a brilliant, ingratiating tone; and Kircher in his *Musurgia Universalis*, published in 1636, calls it *tonum voluptuosum;* by us, on the contrary, it is regarded as especially modest and naïve, although a little frivolous. Before the time of Calvisius, who lived in the sixteenth century, C major was the love-tone; but it is in A major that Mozart's Don Giovanni declares his passion to Zerline. In the seventeenth century D minor was the tone of holy serenity; with Gluck and Mozart it bears the stamp of brooding melancholy and dread, whereas in Weber's *Der Freischütz* it is the voice of wild, demoniac vengeance and triumph. The publication of Goethe's *Werther* was followed by a morbid accumulation of sentimentality throughout all Europe, which gave rise to a multitude of love-songs in the despairing, suicidal key of G minor; to such a degree is the music of any period a delicate pathometer, which detects the nature and measures the intensity of its emotions. The eighteenth century preferred the voices which are most nearly tuned to the violin. The artificial and emasculated voice of the man who sang as if he had a small oboe in his throat was thought to be peculiarly fit for rendering lyric and dramatic music. We give preference to the brighter tones of the flute, the clarionet, and the horn, to the splendor of burnished over that of molten gold. Tones and keys which a century ago were employed only to express the strongest emotions, are now applied on the most ordinary occasions; the spices and highly seasoned condiments of our ancestors have become our daily bread. This musical phenomenon corresponds also to the belief of some physiologists that the average human pulse has quickened about ten throbs per minute during the last half-

century; so that the fever-pulse of fifty years ago is the healthy working-pulse of to-day. This acceleration marks precisely the difference between a harp and a piano, between touching a string with the finger and hitting it with a hammer; and even our piano-forte music is more forte than piano. Quantz, who taught the flute to Frederic the Great, speaking of execution, says, "In adagio every note must be gently caressed." But the taste of to-day seems to demand that every note should be vigorously cuffed. In this age of over-excitement the ear has grown dull to the more subtile and delicate harmonies, as if it had been stunned by the din of railways and the whistle of steamboats; so that the brilliant music of a century ago is no longer brilliant to us. In order to produce the effect which it was meant to produce, we are obliged to increase the volume of the orchestra, and put two instruments where our grandfathers put only one. At this rate the next generation will be obliged to add a calliope. It is certain that since the days of Haydn and Handel the key of the flageolet has gone up a third, or even an octave.* This metamorphosis of the ear is one of the most curious facts in the history of music. We know not how it is that the eleventh century derived pleasure from the compositions of Guido da Arezzo, which, if performed in one of our concert-rooms, would drive the auditory from the house.

It may be safely affirmed, that at no other period in the world's history has there been so much musical instruction resulting in so little musical education as at the present day. By musical education we mean the cultivated ability to understand good music, to comprehend the laws of composition, to judge of their application, and discriminate the musical styles of different epochs. Musical instruction, on the other hand, may lead to nothing more than a certain finger-dexterity (playing, as it is very properly called), in which there is not the least element of culture. The former is of the soul; the latter, of the hands. Of what use to us is a knowledge of the alphabet, if we stick fast in the horn-book, and never learn to read Shake-

* For a full development of this point, see Riehl's *Culturstudien aus drei Jahrhunderten*, Art. *Das musikalische Ohr.*

speare or the Bible? and what benefit do we derive from our endless strumming, if we are not able to render or appreciate in the original the masterpieces of our classic composers, without having them brought down to us over the *pons asinorum* of a piano-adaptation? And yet how few even of our professional musicians ever get beyond this! Indeed, so rapid has been the common degeneracy in this respect during the last century, that the sublime *Passionsmusik* of Bach has become like a dead language to us, and to the frequenters of our concert-halls is scarcely more edifying than the Latin Salutatory of Commencement-day.*

Music, like architecture, originated in the service of religion. The man who first made "barbarous dissonance" on a gong or a tom-tom had no intention of imitating any noise that he had ever heard, but was simply giving expression to his devotional feelings; it was his manner of worship. There is nothing in national melodies which shows them to have been inspired by any external agencies, — mountains, seas, deserts, rich valleys, or rocky glens. The origin of all modern sacred music is the *cantus firmus* and Ambrosian chant; so that in this respect, also, the Church is the oldest school of Christian art, and in our opinion there is no desecration in its continuing to perform this function. May it not be secondarily a school of art, as it is only secondarily a school of morality? Do not religious worship and art spring from the same feeling, and employ the same faculties? and are not the highest aims of each identical? If one cannot endure solecisms in a sermon, or bad grammar in a prayer, why should one be content with discord in church music, or disproportion in church architecture? Worship is not necessarily more spiritual in the barn-like kirk than in the magnificent cathedral. The bronze gates of the Florentine baptistery (called by Michel Angelo "the gates of Paradise"),

* Did our space permit, it would be interesting to inquire how far this state of things is due to the introduction of the piano, which may be defined as a box of prepared music, put up by the instrument-maker, and far less scientific than the violin, the harp, or the guitar. The object of the piano is to substitute one performer for a whole orchestra; but this increase of power is at the expense of individuality and originality. The calliope, driven by steam, has still more power, but it has certainly not contributed much to musical culture.

or the mosaic pictures of St. Peter's, are no more traps for the soul than are the rough wooden doors and white walls of the most ascetic meeting-house. Only let art be honest and genuine, and it can nowhere be more fittingly employed than in the offices of religion. Let all the arts with filial love and reverence vie with each other in beautifying and honoring the Church, their nursing mother. The oratorio, as its name implies, is essentially a prayer. It is impossible to conceive of a grander Thanatopsis than Bach's Cantata for the Sixteenth Sunday after Trinity, the theme of which is death and immortality. The terror of the creature, in view

> "Of the stern agony and shroud and pall,
> And breathless darkness and the narrow house,"

is painted by the tenor and the bass in deep dramatic colors, unsurpassed even by Gluck in the Iphigenia in Tauris. The alto, sustained by a quartette of violins, raises the fearful questionings of the soul concerning a future state. Immediately the response falls from the orchestra in a cheerful ritornello, describing the saving union of the emancipated spirit with Christ the Redeemer. Finally the soprano leads the way in a recitative to a rich, angelic choral, in which we hear the exultation of a believing soul in the assurance of eternal life. There is surely nothing in such a musical representation which ought to excite suspicion in any Christian mind; yet these very masterpieces of dramatic music, which Bach, Handel, and Beethoven wrote expressly for religious worship, a so-called spirituality now banishes to the concert-hall. George Whitefield and John Wesley saw the impolicy of letting Satan have all the opera airs, although there are some which we would gladly resign to his monopoly and wish him "luck o' his prize." Even the stern John Calvin committed the music of the Reformation to Goudimel, the master of Palestrina and the greatest composer of his age. He did not think that it would contribute any the less to religious edification because it also edified artistically. We are aware that the general introduction of such music would be impracticable, owing to the difficulties attending both its execution and appreciation; it is not, however, on any plea of profanity that it should be thrust from the portals of the sanctuary. The perfection of

sacred music must be sought, not so much in complicated instrumental combinations as in the simple but entrancing harmonies of the voice, the finest example of which is the pathetic Gregorian Chant of Holy Week in the Sistine Chapel at Rome. As a means of expression, vocal music stands higher than instrumental, and marks the transition from music to poetry, the blending of which constitutes song. Contrary to the common theory, we are inclined to regard instrumental music as the earlier and more primitive form. It is certainly that which prevails among savage tribes; and Jubal, the first musician mentioned in the Hebrew writings, is not spoken of as a singer, but as "the father of all such as handle the harp and organ." Between music and poetry there is a close affinity; each admitting of the same classification into epic, lyric, and dramatic. The Greek poets were all musicians, and the Germans call a composer *Tondichter*, i. e. a poet of tones. Gluck, the great musical dramatist, says, that, in composing the *Alcestis*, he repeated the text until he had completely entered into the spirit of it, when the music came of itself. The perfect understanding of the words developed the melody in them, as the eye of the painter sees the fresco in the cartoon before it has been pricked to the wall.*

Poetry, both in form and content, is a richer, more spiritual, and more comprehensive art than music. It is art articulate, — art with its tongue loosed. Its material is not mere sound, but speech, — sound embodied in word; its domain is coextensive with the realm of the imagination. The specific difference between the tone which is sung and the word which is spoken consists in this, that the former is the spontaneous outgushing of the feeling soul, whereas the latter is the conscious product of the thinking mind. The substantial tone and the articulate word stand to each other in the relation of sentiment to thought, of the passive soul to the active intellect. Originally every word is a musical note, i. e. the idea is expressed en-

* "Ich glaubte," says Gluck in the *Zueignung* of his Alcestis, "die Musik müsse für die Poesie das sein, was die Lebhaftigkeit der Farben und eine glückliche Mischung von Schatten und Licht für eine fehlerfreie und wolgeordnete Zeichnung sind, welche nur dazu dienen, die Figuren zu beleben, ohne die Umrisse zu zerstören."

tirely by the sound; but language soon frees itself from this limitation, and the word becomes a mere sign for the thought or thing, — the sound is no longer essential to it. The word *man* conveys to the mind a certain idea or image; but this idea or image is not exclusively associated with the sound produced by uttering that word, but can be denoted by other sounds, — ἄνθρωπος, *homo*, *Mensch*, *l'homme*, &c. The articulate word, although originally the tone-image of an object, loses, in the perfected language, this characteristic, and becomes the mere sign of the object. In music, on the contrary, the sentiment cannot be separated from the sound; the latter cannot be changed without changing the former. An ode of Horace or a sonnet of Milton may be translated into another tongue, or resolved into rhythmic prose, yet the meaning is not lost, and it still remains a work of art; but an attempt to disturb, in like manner, a sonata of Mozart, or one of Beethoven's symphonies, would transform all their harmonies into a farrago of crotchets, "full of sound and fury, signifying nothing." Music awakens thought by means of emotion; poetry excites emotion by means of thought; consequently the effects of the former are more immediate and intense, those of the latter more indwelling and enduring. A musical composition is a series of evanescent pictures or dissolving views, each of which is "a moment bright, then gone forever": nothing remains of the beautiful creation but the coarse machinery that moved it, — dead notes and dumb instruments. Poetry is less dependent on material conditions, and speaks at once to the heart and the intellect without the agency of wood, wire, or catgut. The earliest poetry was connected with music in the religious chant, and bore a priestly stamp. Such were the productions of the Grecian bards Olen and Orpheus, the hymns of the Indian Veda and Persian Avesta, the Hebrew Psalms, the old Salian chants, and the Scandinavian Eddas. Next came the age of heroes and hero-worship, and the development of epic verse. With the progress of civilization and political freedom, and the intergrowth of social and domestic life, lyric poetry sprang up, and last of all the drama.* Thus out of the amorphous mate-

* This classification is made by Aristodemus in Xenophon's Memorabilia, I. 4. 3; by Plato in the Republic, II. 97; and also by Aristotle in the Poetica, 3. 2.

rial of rude hieratic songs arose the three generic forms of poetry; as in the hollow tree we find the germ of the classic temple, and in the rough, Arcadian stone trace the origin of the beautiful Phidian statue. To the perfection of the drama each of the lower arts contributes its highest result; the symmetry of architecture, the gracefulness of plastic beauty, the vividness of color, and the sweet soul of melody, combined and enlivened by action, blend in harmonious whole. Painting is no longer mute and motionless; —

> "Verse ceases to be airy thought,
> And sculpture to be dumb."

Only a few nations, comparatively, have reached the height of dramatic poetry. The Hebrews never rose above the lyric, and the Scandinavians attained only a crude epic. Greek poetry was the first that passed through a complete cycle of development, reaching its zenith in the tragedies of Æschylus, Sophocles, and Euripides. English poetry culminated during the sixteenth century in Shakespeare; French, during the seventeenth, in Corneille, Racine, and Molière; German, during the eighteenth, in Goethe and Schiller. In Æschylus we find frequent traces of epic and lyric elements which disappear in Sophocles and Euripides; and this is true also of the older English dramatists, as compared with the "Swan of Avon." Likewise in mediæval literature we observe the same chronological order. First, the priestly poetry of which Muspilli, Krist, and Heliand are specimens; secondly, the epopee or heroic poem represented by the Nibelungen and Kudrun; then the lyric of Troubadours and Minnesingers; and lastly, sacred and profane drama in the Mysteries and Miracle-Plays. As song forms the transition from music to poetry, so the drama is the connecting link between poetry and prose. In it rhyme ceases to be an ornament, and becomes an excrescence and a hindrance; and the only species of verse at all suitable to it is the Iambic measure, which approximates very closely to prose. Indeed, modern dramatic poetry shows a constantly increasing tendency to rid itself of all metrical restraints and employ the freer vehicle of artistic prose. A versified tragedy degenerates almost inevitably into declama-

tion and rhetoric, a fate from which even the genius of Schiller has failed to save it.

The youngest and the most spiritual of the arts is prose. Its instrument is speech, like that of poetry; but it is speech emancipated from the limitations of metre, alliteration, and rhyme, — speech set free, *oratio soluta;* consequently it has fewer technical difficulties to overcome, and expresses itself more clearly and directly. The Muse of poesy is not the less fettered, because with truly feminine taste and tact she makes an ornament of her thraldom, and weaves her chains into garlands. Besides, the source of prose is not the imagination alone, nor any other isolated faculty; it is an outflow of the whole mind, and its domain is coextensive with the combined powers of the soul. It is as much above poetry as character is superior to faculty, or a full symmetrical man to a single fine feature. With a less complex mechanism it can do more, and is an organ of higher revelation. The essential nature of poetry is plastic; the spirit of prose is picturesque. The former is allied to sculpture, as the latter is to painting, or as music is to architecture. The higher and more spiritual an art is, and the finer the material which it employs, the more intimately it is connected with the personality of the artist. The architect projects the plan; others erect the building. The sculptor moulds the clay in the form of the statue, and is thus brought into closer relations to his creation; but it is the stone-cutter who puts it in marble, and the founder who pours it in bronze. The painter, however, not only sketches the cartoon, but with his own hand limns the picture. So in music, the lowest of the speaking arts, the composer who creates the work commits it to the musician for execution, and it has no real existence until the latter embodies it in sound; and it seems to us that prose, as compared with poetry, bears the seal of the author's individuality more clearly impressed upon it, inasmuch as the poet is obliged to fit his conception to a Procrustean form which he has only a very limited power to modify; his thought is forced into an artificial channel, whilst that of the prose-writer flows with the wider freedom of a river wearing its own bed and heaping up its own shores. In poetry, too, there is a lingering vestige of music; its full effect

depends as much on the tone, color, weight, and temperature of the words and letters, as on their meaning. The versification of Coleridge's Christabel, or of Milton's Allegro and Penseroso, is inseparable from the very sentiment of those poems; and Shakespeare's Tempest is a symphony with passages as beautifully modulated as any in Beethoven; indeed, the whole play, like Caliban's enchanted island, is

> "full of noises,
> Sounds, and sweet airs, that give delight, and hurt not."

In prose these purely *sensuous* qualities of language are less prominent; the word is valued more for its signification, and not so much for its sound. Chronologically, also, prose is a later development than poetry, and presupposes a greater maturity of the general mind. From the epos sprang romance and history; from the lyric, theology and philosophy; and from the drama, oratory. Thus in Grecian literature we can trace this continuity of growth, and find that Homer and Thucydides, Pindar and Plato, Sophocles and Demosthenes, are connected by a link as logical as that which binds conclusion to premise in the clamps of a syllogism. It is only a progress from individualization to generalization; from the concrete to the abstract, corresponding to the growth of the intellect in men and nations.*

As the most romantic landscapes lie where craggy mountains and fertile lowlands meet, so the most poetical periods in history are where a rude and dark age just begins to brighten with the soft tints of a dawning civilization; but with the increasing light of culture is ushered in the era of prose, which, like an invading monarch, first takes possession of the valleys and the plains as a legitimate domain, and then pushes his conquests into the highlands, whose native queen, Poesia,

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* Quintilian calls history *carmen solutum*, in distinction from *poesis alligata ad certam pedum necessitatem* (Inst. X. 1); and Schelling characterizes it as *das ewige Gedicht des göttlichen Verstandes* (Ueber das Academische Studium, p. 219). Plato in his divine Dialogues repeatedly speaks of the poets as not only sons and prophets of the gods, but also as fathers and guardians of wisdom. Plutarch, in his "Morals," defines poesy to be a primitive philosophy (*πρώτην τινὰ φιλοσοφίαν*), or rather a storehouse of pre-philosophical material (*ἐν ποιήμασι προφιλοσοφητέον*); and according to the acute and critical Montaigne, *philosophie est une poesie sophistiquée.*

retires farther and farther into her constantly diminishing realm, until at length nothing remains obedient to her sceptre but the solitude of a Parnassian peak. In literature, the ascendency of prose is always in direct ratio to the general advance of the human spirit, and the clearing up of the intelligence. As a vehicle for the movement of ideas, it is far more adequate than poetry, and is therefore a better exponent of modern civilization. *Substantially*, the barriers between these two arts are already broken down, so that the terms poetry and prose no longer represent distinct circles of thought and emotion; they also become assimilated in *form* and *grammar* in proportion as the sensuous life of language dies out, and the spiritual qualities predominate. Thus, one of the most marked peculiarities of modern language is what might be called their prose organization; i. e. their prosody or metrical system is founded, not on quantity, but on accentuation, so that by this change the chief distinction between *oratio vincta* and *oratio soluta*, as understood by the ancients, is lost; and we may confidently look forward to the time when the fusion of these forms shall be rendered more complete, by the abolition of that "bondage of rhyming" which Milton condemns as "the invention of a barbarous age," and which Ben Jonson characterizes as "wresting words from their true calling." There is no good reason why the relative duration of successive syllables in time should have been insisted upon as essential to poetry; for we might with equal propriety follow the example of Simmias of Rhodes, and establish a canon that the lines should be of such length, and so arranged, that the finished poem would present to the eye the form of a heart, a battle-axe, an egg, a flute, or a phœnix. But the constant tendency in human speech is to shake off these conventional shackles, in proportion as it frees itself from the dominion of the senses, and becomes an organ of revelation for the higher reflective faculties. The spiritualizing and enfranchising influence of Christianity transformed Greek into an accentuated language; and Grimm has shown that the same process took place also in German, which originally made quantity or the temporal value of the vowels the basis of its prosodical system.

Did our space permit, it would be easy to cite passages from

standard authors in illustration of what has been alleged as to the pre-eminence of prose, its wider range and superior capabilities as a form of literary art. If her younger muse, like a Cinderella, is generally made to perform all the drudgeries of life and leave the finer fancy-work to her poetic sister, she sometimes throws aside the kirtle and the clog, and appears at the king's feast in rich robes and silver slippers. It is in some of his most splendid and pathetic passages that Shakespeare unclasps the golden cincture of verse, and revels in the fuller freedom of imaginative and impassioned prose; and there are many portions of Milton's Areopagitica which rival in grandeur the best books of the Paradise Lost. The reader, however, must remember that the prose to which we have awarded the highest place among the fine arts is not that which M. Jourdain had been speaking more than forty years without knowing it. *Tout ce qui n'est point prose est vers, et tout ce qui n'est point vers est prose*, is a definition well suited to the limited faculties of the *Bourgeois Gentilhomme;* but for the purposes of philosophical discussion we prefer the nicer distinction made by De Quincey between "literature (*literæ humaniores*) and anti-literature (*literæ didacticæ.*)" To literature thus defined belong poetry and prose, including, not the sum total of things printed, but only those books which seek to communicate power, and the purpose of which is not to convey information to the intelligence in a pedagogical sense, but to *inform* the soul in an artistic or creative sense. To anti-literature belong works of science which seek to impart knowledge, grammars, dictionaries, cyclopædias, chronicles, most histories and books of travel, and, in general, all productions of the press wherein the matter to be communicated is paramount to the manner of its communication.* This immense mass of useful knowledge is wholly excluded from prose considered as a fine art, and consequently can claim no place in literature proper, to which it bears the same relation that the

* "Poetry is not the proper antithesis to prose, but to science. Poetry is opposed to science, and prose to metre. The proper and immediate object of science is the acquirement or communication of truth; the proper and immediate object of poetry is the communication of pleasure." In this quotation from Coleridge, substitute *power* for pleasure, and the definition becomes essentially the same as that which we have given.

color-bag does to the painting, or the quarry to the cathedral. Art is the service of the ideal; and the more refined and intellectual this service becomes, the more spiritual is the medium which it employs for its manifestation. "Beauty," says Michel Angelo, "is the purgation of superfluities"; and it is by this law that the progress of art may be computed. Temple, statue, picture, oratorio, and book are not repetitions of the soul, but each in its turn gives a fuller and finer measure of it. They are related to one another like the substances in the chemical tables, where every positive becomes negative by having a new substance placed above it. At present, this highest positive point is occupied by literature. The artists of to-day are the men of letters. But literature itself is only the surrogate of life. Deeds of goodness and courage are a higher incarnation of the beautiful than words, however wise and eloquent. Campbell says of Sir Philip Sidney, that his life was "poetry put into action." All the nobilities of his nature were enshrined in that form. Everything that man can do may be divinely done. The great soul converts the lowliest duty into a sublime work.

> "A servant with this clause
> Makes drudgery divine;
> Who sweeps a room as for thy laws
> Makes that and the action fine."

The poet gleans from the barren field a rich harvest which the husbandman knew not of. Beauty will come to every condition of life, when men once learn to lift themselves above selfish aims, and serve the ideal in whatever they do,— when all the machinery of our civilization, like the wheels in Ezekiel's vision, shall move in obedience to divine impulses, as the supplements of man's spiritual nature, and the ship, the railroad, and the telegraph be transformed from the mercenary agents of trade into the shining vehicles of truth and liberty and universal brotherhood.

ART. III. — 1. *The Journal of Prison Discipline and Philanthropy.* Published Annually under the Direction of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," instituted 1787. January, 1866. (New Series, No. 5.)

2. *Twenty-First Annual Report of the Executive Committee of the Prison Association of New York.* Part I. Transmitted to the Legislature, January 22, 1866.

3. *First and Second Annual Reports of the Massachusetts Board of State Charities.* 1865, 1866.

4. *Reports of the State Prisons and Penitentiaries of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Wisconsin, Minnesota, Iowa, Kentucky, and California, for* 1865; *of Illinois, Indiana, and Missouri, for* 1864.

5. *Reports of the Board of Inspectors of Asylums, Prisons, etc., for* 1860 – 1865. (Canada.)

6. *Sixth Annual Report of the Commissioners of Public Charities and Correction.* New York. For the Year 1865.

7. *Reports of the Albany Penitentiary* (1850 – 1865); *of the Monroe County Penitentiary* (1855 – 1865).

8. *Statement of the Actual Condition of the Prisons in the City and County of St. Louis.* Prepared, after Careful Inspection, and Respectfully Addressed to his Fellow-Citizens. By Rev. WM. G. ELIOT. St. Louis. 1865.

9. *Crime and Punishment.* By BLANCHARD FOSGATE, M. D., Formerly Physician to the New York State Prison at Auburn. Auburn, N. Y. 1866.

HAVING attempted, in the January number of the North American Review, to sketch the improvement in Prison Discipline since 1850, it now remains for us to consider what is the condition of the American prisons, in which we have a more direct interest than in those of France or Ireland. And if this subject seems a broad one, whether judged by the extent of America or the number of Reports named above, it should be remembered that mere extent of territory counts for little, provided the same system prevails throughout, while one need only glance at most of the documents named in order to see

how little they can add to the world's knowledge. It is by collecting a vast number of imperfect instances, that we must supply the lack of careful observation in this important field. Of late, however, the attention of an unwonted, though still a small, number of close observers has been turned to the investigation of Crime and Punishment; the result appearing in the later Reports of the New York and Philadelphia Societies, and now and then elsewhere. But it is still painfully true that our Prison Reports generally do not even communicate that dry kind of information which they are intended to convey, or else communicate it very defectively; while some of the best of them are so disfigured with self-complacent praises of the establishment where they are written, and one-sided statements of conflicting systems, as greatly to lessen their value. "This is, without doubt, *the best prison in the world*," says one warden, speaking of his own penitentiary. The inspectors of a rival establishment say, with a little more apparent modesty, "Its direction has been animated by the single purpose of maintaining its character as *the only penitentiary in which the separate system has been carefully tried.*"

If, as advertisements say, "this should meet the eye" of the prison officers at Dublin, Berlin, or London, of M. Duopétiaux, Dr. Wichern, or Sir Walter Crofton, we can imagine the smile which would be excited at the assurance of the Yankees, and for which there would be some cause. Every patriot, of course, believes his own country the best in the world; but it is unfortunate when a board of directors or a warden believe their prison the best, — for then they will do little to improve what is already so superior. The truth is, that not one person in fifty of those who manage the American prisons has ever seen any three of the best European prisons, or even read a good description of them. Pentonville, Lusk, Bruchsal, Moabit, La Roquette, are but names, if they are anything, to them; the labors and the publications of Maconochie, Mittermaier, Crofton, and the rest, who have changed the whole aspect of the Prison Question within the last twenty years, are unknown to them. Nay, there are few of them who ever examined a dozen prisons outside of their own State, or who even know the present condition of the lower prisons within their own State. That such

persons should manage prisons well is not strange, for prison management is an art or a gift quite as much as a science; but that they should profess to compare their own success with that of the thousands engaged in the same work all over the civilized world, and to boast themselves superior to all, is something to be astonished at. They must presume on a state of ignorance among their readers still more dense than their own; and unconsciously they do this, — with some reason, too, for how few can contradict such assertions!

All, however, are not such. A few go to the other extreme, and denounce the system which they have been aiding to enforce in language quite as undiscriminating. Dr. Fosgate, in his curious pamphlet on the New York prisons, (the title of which is cited above,) stigmatizes the Auburn system in such terms as men use to blacken a false friend, or a religion which they have renounced. No words are too severe; and yet Dr. Fosgate was, for a while, an officer of the Auburn prison. There are examples, too, of private citizens, accidentally brought to a knowledge of the management of prisons, who use similar plainness of speech in their criticism on the evils they discover. Of this class is Dr. Eliot of St. Louis, whose little tract, attacking the abominations of the city and county prisons of that great Western city, will stimulate inquiry and reformation wherever it is read. Intermediate between the self-satisfied and the censorious are the patient and disinterested investigators. The New York Prison Association has enlisted many men of this class. The Philadelphia Prison Society, like the Boston Prison Discipline Society, has inclined too much to a partisan course, but has still done good service. The Board of Inspectors in Canada (since 1859) and the Board of Charities in Massachusetts (since 1863) seem also to belong to the better class. The newly established Prison Commission of California, and the Department of Jurisprudence in the Social Science Association, have hardly had time to contribute to the literature of the subject; but something valuable may be expected from both.

There is every reason to believe that the Second Part of the Twenty-first Report of the New York Prison Association, soon to be published, will give more information respecting the

prisons of the United States and Canada than any work which has appeared within the last quarter of a century. Committees of this Association, during the past and present year, have visited nearly all the larger American prisons, collected their statistics, and compared their results; have investigated the important question of pardons, and examined in various localities the method of criminal administration. The record of these inquiries will appear in the volume just mentioned, which is even now going through the press; and from the well-known abilities of Dr. Wines and Professor Dwight, the chief editors, we have a right to expect a thoroughly good report. In anticipation of their statements, and with the light derived from the documents before us, we hope to give the reader some general notion of the American prisons.

It has been too much the custom of writers to pay attention only to the higher prisons in which the more serious offences are punished, and to the jails in which persons lie while waiting trial. These two classes of prisons existed in the days of Howard, and were visited and made infamous by him; in consequence of which great improvements in their management have since been made. But an entirely new class of prisons has been instituted since Howard's day, — or, if existing then, has been prodigiously increased, and made the basis of the whole modern prison system, except in rural districts. We mean the Station-Houses, Watch-Houses, *Maisons de Police Municipale*, or by whatever name may be called those temporary prisons where newly arrested persons in all large towns are lodged for a night, or for a day or two, before the preliminary examination of their guilt or innocence is made. Prisons of this kind exist in all civilized countries, and almost everywhere they are in bad condition. The improvements set on foot by Howard have not done much for these prisons, which oftentimes are little regulated by law, and still less by the inspection of disinterested visitors. Let us call these *Municipal Prisons*, and speak of them first of all. We have no list of them, — seldom any reports of them appear, — yet they are thrice as numerous and receive twice as many inmates as all the other prisons in the country.

In his Report to the Belgian Parliament on the subject of

Prisons, in 1844, M. Ducpétiaux had occasion to notice this class of prisons, and what he then said of those in Belgium is still applicable to our own: "By their nature they are withdrawn from the direct action of the general government; and being thus abandoned to the discretion of local authorities, they have by no means partaken of the improvements introduced by the government into the prisons directly under its control."* In many instances the local authorities in the United States have constructed good prisons of this kind, such as the newer station-houses in Boston and other cities; but in too many places it is to be feared that the shocking description given by Dr. Eliot of the St. Louis "Calaboose" is true, with the necessary changes. There are times when the Boston "Tombs" hardly present a less revolting appearance, if we may trust those who have seen that prison crowded.

In the pamphlet named above, Dr. Eliot says: —

"The St. Louis Calaboose is in the cellar of the large building now occupied by the Metropolitan Police, at the corner of Chestnut Street and an alley, in the most crowded part of the city, where the streets are narrowest and ventilation the worst. The building was erected for a livery-stable and carriage-house, and the basement or cellar was fitted up with stalls for horses. You descend to it by eight or ten steps, so that the floor is six feet below the level of the street. It is paved with small, rough blocks of stone, carelessly put together, and impossible to keep clean, laid in such a manner as to make two open drains or gutters by which the waste water from hydrants is carried the whole length of the cellar. One of these gutters passes through the range of cells, so that the floor is always damp and frequently quite wet. They were arranged for the convenience of the stable, for drainage of the stalls, but are now exactly where they ought not to be. The cellar is bounded on the north by Chestnut Street, on which there is no opening except the cellar door; east by a narrow, dirty alley; south by a livery-stable, from which the waste water continually trickles through the stone wall, and sometimes runs the whole length of the apartment, and is absorbed under a coal-pile which is kept at the extreme north end; and west by the vaults of privies belonging to neighboring houses, the foul water

* *Mémoire à l'Appui du Projet de Loi sur les Prisons. Présenté à la Chambre des Représentants de Belgique dans la Séance du 3 Décembre*, 1844. Bruxelles, chez Weissenbruch Père, Imprimeur du Roi, Rue du Musée 7. 1845. The passage quoted may be found on page 6.

from which keeps the wall, for a distance of twenty or thirty feet, filthy and wet. It is forty feet wide by one hundred and fifty deep, and lighted by grated windows opening upon the alley, to the east. When occupied by horses, the stalls were arranged so that their heads were near the windows, and barely enough light and air for the health of the animals was thus secured. There was also at that time, I believe, some circulation of air by openings at the south and east. But when it came to be used for human beings, who are well known to be hardier than horses, convenience of arrangement and security of the prisoners suggested the economy of leaving as large a space as possible between the windows and the cells, which are built of rough boards, at a distance of twenty feet from the windows, in such a manner as to admit of no ventilation at all. They are constructed in front with horizontal wooden slats, protected by upright iron bars, with grated doors, and the only entrance for the borrowed air and light is through this cross-barred partition, darkened by the anxious faces of the prisoners within, who keep as near it as possible for breath. They are not cells, but *cages*, like those for wild beasts; but no wild beast could be kept alive in such a place. There is a sort of ventilation, too, for the side and back partitions are rudely made, and through the partitions opposite the door comes a close, earthy smell from the back part of the cellar, now unoccupied and totally dark except for a gas-light always burning, and fitted up with rude bunks for the use of 'houseless wretches' some years ago. More foul or pestilential air I have seldom breathed.

"Each one of the cages (in the range of six) is twelve feet square and nine feet high, paved with stone, as I have mentioned, a surface drain running through it, and with a rough bench fifteen inches wide extending round three sides of the apartment. That is the whole furniture, except a rough, open cesspool arrangement in the corner. *They seldom put more than* TWELVE *human beings at a time in one cage, although pressure of business sometimes causes an excess. With that number, at night, six can sleep on the benches, which are probably secured by the strongest; the rest must take their chances on the stone floor; which allows to each of the prisoners one foot by twelve, equivalent to two feet by six,* — almost enough to bury them in. That is to say, when the whole floor can be used; but the space is much diminished when the surface drain is full of water, as it often is. At my last visit I found the overflow so great, in consequence of a stoppage in the outlet, that not more than a fourth of the floor in one of the cages was tolerably dry; yet *ten* prisoners, all of them grown men, had passed the night there. I saw them come out of it in the morning, pale, bruised, haggard, with an exasperated look in their faces; and

when I went into the room immediately after, *enormous rats were running familiarly about, the floor was wet and filthy, the smell was foul, and I wondered how it had been possible to breathe there. One of the ten was left asleep on the bench, with the rats to run over him.*

"At present there is no provision for beds, blankets, or covering of any kind, and I doubt if such supply is a part of the system. The suffering through these chilly nights, sitting or lying on the damp stone floor, must go as a part of the punishment. *Of course no classification of the prisoners is attempted.* They are expected to be there only three days at the longest, and generally not more than twenty-four hours; and *are put in promiscuously, black and white, old and young, with a primary view to convenient stowage.* The women, however, have their own cages, or are permitted the freedom of the hall, in front of the cells."

We quote this detailed account, with all its sickening particulars, because so little is known to the public of this class of prisons. They are seldom entered by any save prisoners, officers of police, criminal lawyers, or other persons whose business leads them there. But they are powerful auxiliaries in the work of corrupting the young, and making shameless the older culprits, while they often receive and contaminate persons guilty of no offence, and charged with none. They are the holes where petty official fraud and abuse hide and coquette with monstrous vice; they are the workshops of detectives, where felony is compounded and impunity is manufactured to order. The Howard of these prisons has not yet set out on his travels, but Dr. Eliot has given several hints for his journey.

We have spoken of these municipal prisons as being thrice as numerous, and containing twice as many persons in a year, as all other prisons put together. But it must be understood that the period of confinement for each person arrested is very short, ranging from half an hour to a week, but usually less than a day. Hither are brought all persons arrested at night in cities and villages, and a great many of those arrested by day. From one half to five sixths of these persons are discharged without conviction, and a great number without trial; the rest are taken from court to the jail, the workhouse, or the house of correction, according to the magnitude of their

offence or the convenience of the parties. If the offence is gross, or the trial can be delayed, they are sent to jail to await trial; otherwise they are sentenced to some convict prison, or, if fined and unable to pay, are detained in jail.

And now we come to the second grade of prisons, — those of the counties. These are not only second in the logical order, but, in many cases, in order of time, — the municipal prisons, in some form or other, being often older than the county prisons.

Within the last forty years in the United States the term "jail," which once included all these prisons, has got a more restricted sense. In Massachusetts and in some of the other States, county prisons are now divided into two distinct classes, *jails*, and *houses of correction*, or *penitentiaries*. The first is used to signify the place of confinement for persons waiting trial or sentence, while the house of correction or penitentiary receives only sentenced persons, and exacts labor from all its prisoners. In the jails of Massachusetts labor is optional except for sentenced persons, and in few or none of them is any considerable amount of work performed. But the South Boston House of Correction, the Albany Penitentiary, and the workhouse on Blackwell's Island, which is but a lower grade of penitentiary, all exact labor as rigidly as the State prisons at Charlestown or Auburn. This class of county convict prisons is gradually extending into all the States. Michigan has one or more, Illinois is about to have one at Chicago, and in New Hampshire, Vermont, Connecticut, and other States of small area, the establishment of such prisons is proposed. It is probable, however, that there and in Massachusetts, and perhaps finally in all the States, they will take the form of district prisons, receiving the convicts of several counties in one establishment. Such is now the actual character of most of the New York county penitentiaries; that at Albany receiving convicts from eight counties, and those at Rochester and Buffalo from a still larger area. By an act passed by the Massachusetts Legislature in May of the present year, convicts sentenced in one county are allowed to be transferred to the house of correction in another county for imprisonment; thus opening the way for District Prisons in this State.

At present, all such establishments in all the States, so far as we know, are managed by the county authorities, with more or less supervision by the State government. In Massachusetts, for many years, the county prisons have been required to report their condition annually to the Legislature; and since 1863 they have been placed under the inspection of the Board of Charities. In New York the Prison Association, which is a semi-official body, has the right of inspecting jails and county penitentiaries, and has exercised it faithfully. In Pennsylvania there seems to be no central board to inspect the county prisons; but that work has been recently undertaken by the Philadelphia "Society for Alleviating the Miseries of Public Prisons," and, so far as it has gone, seems to have been well performed. Of the method of inspection in other States, we have little knowledge. In Delaware, there being no State prison, the convicts are all sentenced to the county jails; in Rhode Island the State prison and the county jail of Providence are under one roof, and controlled by one warden; while the other jails in the State have but few inmates.

The necessity for some central inspection of the county prisons in each State requires little demonstration. To such as are familiar with the condition of these establishments in most of the States, the wonder has been that no such uniform method of examination and report has been adopted here as that maintained in Great Britain, Ireland, and France. It is almost incredible what abuses have crept in, or have always existed, by ignorance and neglect, throughout the county prisons of New York and Pennsylvania. In several of them there is no sufficient separation of the sexes, and in very few any separation of old and young offenders. Of more than sixty jails in New York, only two are provided with baths for washing the whole person; and there are but few where the ventilation is even tolerable. Communication by talking is hardly restricted at all in most of the jails in the United States. In Massachusetts and Pennsylvania, where more pains have been taken than elsewhere to prevent this, it still prevails in a majority of the county jails. Indeed, we find in Pennsylvania the curious anomaly of a prison discipline

for heinous offenders which requires their entire isolation, while the lower prisons from which these inmates of the penitentiary come up are managed, with a few exceptions, in the old, higgledy-piggledy fashion which made the ancient Walnut Street prison of Philadelphia so detestable. Separate confinement is not a *Pennsylvania* but a *Philadelphia* system; and even in the Moyamensing prison of Philadelphia we are coolly told by the "Journal of Prison Discipline" that "the convicts have separate cells; and *it would be better* if the untried and the vagrants could be insured the same advantage; *but this is at present impossible.*" (p. 23.)

In Massachusetts, although the law is stringent forbidding the confinement of two persons in the same cell, and the conversation of prisoners at all times, yet in half the jails it is openly and notoriously violated, especially when they are crowded during the sessions of the county courts for criminal business. In several of the jails no attempt is made to separate the tried and the untried prisoners, who may be seen sitting by the stove in the corridors in front of their cells chatting together as familiarly as the company in a tavern bar-room. In some of the county prisons, however, the rule of silence is very carefully observed.

Carelessness in keeping the records of these prisons is another general and conspicuous fault. In Massachusetts this has been partially corrected by the law of 1864, requiring more exact returns. A similar law, borrowed in part from the Massachusetts statute-book, was passed in New York at the last session of the Legislature, and will be put in force under the efficient oversight of General Barlow, the Secretary of State. In Pennsylvania and most of the other States such legislation is still lacking, and consequently we have few statistics of any value from the county prisons of most of the States. It is a simple matter to require from each jailer periodical schedules of names and particulars, with a yearly return of expenses; and these returns, compiled by the Secretary of State and published annually, would much increase our statistical knowledge of crime and its relations.

So far as we can learn, except in a few of the counties of Pennsylvania, the discipline in all the county prisons, both of

the United States and Canada, is that known as the *Auburn System*. But as some wit said of the Russian constitution, "that it was a despotism limited by assassination," so we might say in this case, it is the Auburn System limited by crowding and free communication. We doubt not it resembles quite as much the old Congregate System, against which Louis Dwight and his associates fought so stoutly until they began to think the Separate System of Philadelphia a worse subject. Of course there are exceptions, such as the Detroit House of Correction, the Albany Penitentiary, and others, including some in Massachusetts; but the rule is to crowd prisoners during court-time, and not to watch them too closely at other seasons. In many States, too, the iniquitous custom of allowing the sheriff a fixed sum for the board of his prisoners is kept up, and the jailer is constantly tempted to stint their food in order to enrich himself or his employer. The good of all parties requires that jailers shall receive fixed salaries, and be debarred from increasing their income by fees and perquisites. In Massachusetts this is the law, but not in New York, nor, we believe, in a majority of the States of the Union.

As for the number of county prisons in the United States and British America, that may be stated as about the same as the number of organized counties; although in the West many of the jails are of the rudest kind. In Massachusetts and other thickly settled regions, there are many more prisons than counties. We have fourteen counties and twenty-three county prisons, including the Boston Houses of Industry and Correction. If, then, we suppose there are two thousand prisons in the whole country and the British Provinces of the class of which we have been speaking, we shall not perhaps be far out of the way. Among these there are many well-built, well-kept, and on the whole useful establishments; but the majority probably deserve, in a greater or less degree, the censure bestowed by Dr. Eliot on the County Jail of St. Louis. Again we must quote his terse and accurate description: —

"It is built of solid stone, with thick walls, three stories high, and contains thirty-six cells, eighteen on each side of a narrow 'well' or open hall, just wide enough to admit of passage-way and stairs, the doors of the cells being opposite each other so that the prisoners can

see through the gratings and hear each other talk. The cells are eight feet square and ten feet high, furnished with an iron bedstead and one stool or chair. *In each of these cells the average number of prisoners is four, seldom less than three, and sometimes five or even six.* The light is admitted by a narrow window, or slit in the wall, three and a half inches wide and perhaps five feet high, and the ventilation, if you can call it such, is through this window and the grated door opening upon the close, unventilated hall. *At night, if there are four inmates, three may possibly manage to sleep on the bed; the remaining one must content himself on the floor. No bed covering has yet been provided, and in these chilly autumn nights the men complain bitterly of the cold.* No provision is made for a change of garments or for cleanliness, and those who have no friends outside to bring them clothing must wash their own clothes in a bucket or basin, and dry them in the cell. I saw one of them, in a cell where four were confined, more than half stripped while he was thus employed. No arrangement is made for waste water, and everything for the prisoners' use and relief must be carried in and out by hand. Once a day the slop-bucket is removed, no oftener, whatever sickness may prevail; the rest of the time it is in the cell, covered with an unclean cloth. Their meals are given to them twice a day, in tin pans, to be eaten in the cells, the men sitting on the bed or on the floor. In short, the whole monotonous routine of their dreary lives, day and night, in sickness and health, in summer and winter, sometimes for twelve consecutive months, is passed in that little stone box, containing six hundred and forty cubic feet of air.

"Four apartments in the jail are used for women. They are generally well filled, but I examined only one, in which I found three women and a child. One of them was a miserable outcast, found guilty of some nameless heinous offence. One was a young woman charged with petty theft. The third was under trial for poisoning her husband. *She had had no change of garments for six weeks!* The child was running about the cell unconscious of its degradation, but beginning to look dull and stupid. *The two bunks were supplied with dirty straw beds, but they had no blankets or bed covering of any kind.* . . . .

"Under such circumstances nothing but the most scrupulous care on the part of the officials could prevent the jail from becoming a pest-house, and they deserve praise for the degree of cleanliness enforced and the consequent average of health enjoyed. The food also is well cooked and abundant, and in general the comfort of the prisoners is regarded, so far as opportunity is given. It is not of the officers that complaint is to be made, but of the abominable, heathenish system under which they are compelled to work. Think of the moral influ-

ence upon the prisoners in those crowded rooms! *No classification of either age or crimes is possible. The hardened sinner and the beginner in crime are placed together to give and receive instruction. In one cell I saw four young men, the oldest just twenty-one years of age, one of whom was under charge of murder, two for grand larceny, and one, a boy of seventeen years, accused of some petty offence, waiting for indictment to be found. No employment of any kind is possible, and it must be almost impracticable to read. Religious or moral influence is out of the question, and to preach the Gospel of Christ there, in that dismal place, to those kennelled human beings, seems like a mockery before high Heaven.* I have tried it more than once, and felt it to be so, and have no doubt the prisoners felt the same."

We are glad to learn from Dr. Eliot, that since the publication of his pamphlet, nearly a year ago, steps have been taken to improve the condition of the jail, while the "Calaboose" has been entirely changed for the better. Still these words of his, written after a heart-felt experience of this miserable state of things, shall stand to depict like evils in other places, and aid to remove those also.

What is needed to make the county prisons everywhere what they should be is, *first*, a vigilant inspection, not by the local, but by the State authorities; and, *second*, an awakened interest in the welfare of the prisoners among the community where the prison stands. Very forcibly does Dr. Eliot say, towards the end of his pamphlet: —

"Who is to blame? Upon whom does the fearful responsibility rest? It is easy to say, 'Upon the City Council and the County Judges,' and that they should be indicted for maintaining so great a nuisance. *But in fact they are only the representatives of the community, and it would be unjust to throw the censure exclusively upon them.* The evil has been in existence for half a generation, with little or no change, and every succeeding set of officers and every political party that has governed the city and county for the last fifteen years may take its share of the blame. *It is the public which is really at fault. Public indifference and neglect are the root of the difficulty. Every obstacle in the way of immediate improvement would disappear, if the public will were so.* Enlightened public opinion alone can make enlightened and active officers, and without its influence they would not be sustained in doing what common humanity demands. Repeated efforts have been made by city and county officers for the establishment

of an improved system, but they have uniformly failed, and will continue to fail until the public conscience is more thoroughly aroused to the enormity of the sin."

To arouse the public conscience is indeed the duty of all who know the facts about our prisons; and there are certain considerations very apt to do so at the present time, of which we shall speak in course of what we have to say concerning State prisons.

It is the *State prisons* of the United States which have for so many years claimed the attention of the world. Previous to 1825 the introduction of the *Silent* System at Auburn began to attract notice, so skilfully was it conducted and with such obvious results. Of the origin of this system at Auburn, Dr. Fosgate gives an account somewhat different from those generally received: —

"In the early history of the Auburn prison, when the convicts were employed on its own construction, working together with little restraint towards each other during the day, and at night huddled promiscuously in apartments, each accommodating fifteen or more individuals, without method or any settled plan of discipline, John D. Cray, an Englishman by birth, a retired soldier of the British army, and a coppersmith by trade, assumed its police regulation. To this remarkable personage, endowed with wonderful physical endurance, — making little difference between day and night in prosecuting his arduous labors, — possessed of uncommon energy and decision of character, as portrayed in the result of his undertaking, — and who, though unaided except by the work of his own hands, possessed a fund of knowledge seldom equalled even by those on whom wealth and station had showered their favors, — belongs the fame, whether it be good or whether it be evil, of defining and executing a system of prison polity which has arrested the attention of civilized man." — *Crime and Punishment*, pp. 15, 16.

This was in 1821 – 22. In succeeding years the equal abilities of Elam Lynds and Gershom Powers were devoted to the continuance of the system at Auburn; while at Wethersfield, in 1827, Amos Pilsbury, then a young man, aided by the experience of his father, the Warden of the New Hampshire prison, began to modify the brutal severity of Cray and Lynds by a discipline equally strict, but resting upon personal influence rather than personal violence. In 1828 the Massachu-

setts State prison was opened under the Auburn System. In 1829 the Eastern Penitentiary of Pennsylvania was opened under the Separate System. Three years earlier the Western Penitentiary near Pittsburg had begun to receive prisoners; but as a model of the Separate System its claims have never been so good as those of the Philadelphia prison, which for many years has regarded itself as the rival *par excellence* of the Massachusetts prison, whose managers seem to have accepted the challenge.

Before 1838 the Auburn System had been put in practice, with more or less strictness, in the State prisons of New Hampshire, Vermont, Massachusetts, Connecticut, New York, Ohio, Illinois, Tennessee, Georgia, Virginia, and Maryland; since then it has been adopted in Maine, Rhode Island, New Jersey, Michigan, Indiana, Iowa, Wisconsin, Missouri, Kansas, Minnesota, California, Alabama, Mississippi, Louisiana, Kentucky, and probably in all the other Southern States which have given up the old Congregate System. For a time, the Separate System was tried in Rhode Island and New Jersey, but has long been abandoned there.

To investigate the claims of the conflicting systems and the general results of prison discipline in America, Beaumont and Tocqueville, Demetz and Blouet, Crawford and Julius, visited the country from 1831 to 1838, on behalf of the French, the English, and the Prussian governments. But it was the *State* prisons, almost exclusively, which they visited, and whatever comments they made related for the most part to these. Their reports, and the subsequent discussion in this country and in Europe, were noticed at the time in these pages, and need not here be considered. But what we would cause to be observed is, that all these discussions dealt with our State prisons, and only incidentally with either of the two classes of which we have already treated.

To show how small a part of the whole subject of Prison Discipline in America is discussed when the State prisons alone are considered, we have prepared the following table, giving the number, location, and approximate number of prisoners in the prisons of several States, with the number of counties in each State, which will serve to show very nearly the number of county prisons.

Table showing the Number, Date, Location, Number of Prisoners, and Annual Cost of the State Prisons of Twenty-one States, together with the Number of Counties in each State.

States.‖	Prison established.	Location of Prison.	Average number of Prisoners, 1865.	Number at latest dates.	Deficit of Earnings. 1865.	Number of Counties in the State.
					$	
Maine	1824	Thomaston (1)	72	78	84.32*	16
New Hampshire	1812	Concord (1)	83	107	933.19*	10
Vermont	1808	Windsor (1)	62	89	3,250.42	14
Massachusetts	1805	Charlestown (1)	359	514	25,000.00	14
Rhode Island	1838	Providence (1)	45	58	1,000.00*	5
Connecticut	1827	Wethersfield (1)	160	195	702.13*	8
New York	1821	Auburn	529	762	25,277.44	
"	1825	Sing Sing (3)	858	1,227	86,465.70	60
"	1845	Clinton County	439	431	81,115.99	
New Jersey	1835	Trenton (1)	371†	333	5,114.07	21
Pennsylvania	1826	Pittsburg (2)	230	259	20,000.00‡	65
"	1829	Philadelphia	331	470	45,000.00‡	
Ohio	1834	Columbus (1)	642	655	24,928.16	88
Michigan	1838	Jackson (1)	280	315	31,000.00	62
Illinois	1857	Joliet (1)	513†	586†	0	102
Indiana	1846	Jeffersonville (2)	247†	246†	15,219.95	92
"	1859	Michigan City	114	114	23,000.00	
Iowa	1852	Fort Madison (1)	78	87	28,500.00‡	99
Wisconsin	1849	Waupun (1)	109	97	30,000.00‡	58
Minnesota	1859	Stillwater (1)	19	20	8,112.94	64
Missouri		Jefferson City (1)		364†	2,000.00	113
Kansas	1863	Leavenworth (1)		43†	. . . . .	41
Kentucky	1798	Frankfort (1)	245	290	0	109
California	1851	San Quentin (1)	618	648	61,000.00‡	44
Virginia	1801	Richmond (1)	250§	90	. . . . .	147
Total	25		6,654	8,078	512,265.03	1,232

* Excess. † In 1864. ‡ Approximate. § Before the war.

‖ The population of these twenty-one States in 1860 was nearly 23,000,000, and is now upwards of 25,000,000. In Canada, of which the population in 1860 was 2,501,888, there is *one* State prison, located at Kingston, where the average number for 1864 was 776, the number at latest date 729, and the deficit of earnings about $60,000. The number of county gaols reported is 54, wherein the whole number of commitments for 1864 was 13,016, and the greatest number of prisoners at any one time 1,638; the average number being probably about 1,400.

The Clinton prison, in New York, is located in the town of Dannemora, in Clinton County, but is always called by the name of the county. The Kentucky Penitentiary was rebuilt about 1845. With regard to the earnings of the prisons of Illinois and Kentucky an explanation is necessary. In these two States the odious practice prevails of leasing the prisoners to a contractor, who agrees to feed and clothe them, and provide for their sanitary and spiritual wants without expense to the State, provided he can have the profits of their labor. In this way these prisons are self-supporting, and the lessee grows rich, but it is at the cost of a terrible slavery to the convicts. From Kansas, where the prison is building, and Virginia, where the war has unsettled everything, we have no return of earnings. The footing of the deficit column shows the excess of deficit over income in all the prisons taken together; deduction being made of the excess of earnings in four States.

Here are twenty-five prisons in twenty-one States; yet the average number in all is less than five times as many as in the twenty-three county prisons of Massachusetts (1370), while the whole number at the latest dates is also less than five times as many as the number (1666) remaining in those twenty-three prisons on the 1st of April, 1866. We may reasonably conclude, therefore, since the population of Massachusetts is about one twentieth of the aggregate in these States, that in these 1200 county prisons there are at least four times as many prisoners as in these State prisons; while in the municipal prisons there are at least ten times as many. If this estimate is correct, then the number in our State prisons is not more than one fifteenth of the whole number of prisoners at any given time in the United States.

That this estimate is not too small will appear further from the following facts. In the year 1865 the whole number in State prisons in New York was 2909, while the number of arrests in the city of New York alone was 39,616, or nearly *fourteen* times as many. At the same time there were in confinement in the Albany Penitentiary alone (a county prison) 1247 persons, or more than two fifths as many as in all the State prisons. The number confined in the Philadelphia county prison in 1865 was 17,163; in the Eastern Penitentiary during the same time, 582, or a little more than *one thirtieth* as many; while the average number for the year was considerably larger at the county prison than at the penitentiary.

We must believe, then, that when we read the Reports of our State prisons, we are learning the numbers and condition of less than a tithe of all the prisoners in the country. And yet what these Reports indicate will serve as a guide to the condition of the great mass of whom we hear little or nothing. We may be sure, for one thing, that the nine tenths or fourteen fifteenths are no better treated, no more carefully instructed, no more thoroughly disciplined, than the remaining fraction. These last are, in large establishments, frequently visited, and under the eye of the public. Whatever pride we take in our prison system is derived from an inspection of these; whatever private philanthropy does is mainly for the benefit of their inmates. And what is to be said of our State prisons?

In the first place, we must notice their great diversity, in the number of convicts, the system of discipline, the organization of labor, the cost of support, etc. No two prisons are alike, even in the same State. The Pittsburg Penitentiary differs from that at Philadelphia almost as much as from the Rhode Island prison. The Auburn prison is unlike that at Sing Sing, and both differ greatly from that at Dannemora. The Ohio Penitentiary has contained upwards of a thousand convicts; so has the Sing Sing prison; while the Minnesota prison cannot get its average number up to twenty-five. Some receive female convicts and boys, like the Vermont prison; some receive boys, and not women, like the Massachusetts prison; some receive neither females nor boys, like the Auburn prison. Some elect their warden every six months, as in Pennsylvania, and yet retain the same officer for twenty years; some have the warden appointed during good behavior, and dismiss him at the end of the first or second year, as in New York. A few are self-supporting, more are always expecting to become so, while others take pride in costing the State a good penny. Sometimes the supervising board are called Inspectors, sometimes Directors, sometimes Commissioners; sometimes — as in Kentucky — the Legislature exercise the supervision. In some there are no means for bathing the convicts; in some the meals are eaten in common, while the cells are separate; some give instruction in reading and writing, but most do not; some do not receive the insane, some keep them in a distinct prison, others in cells of the ordinary kind.* In some the party-colored convict dress has been given up, but in most it is still worn; in some the only punishment allowed by law is solitary imprisonment, in others flogging, yoking, showering, and other tortures are practised. And so we might go on indefinitely, pointing out the diversities.

But in some things there is uniformity; and what impresses most strongly the observant visitor is the high average of good sense and humanity among the officers. However they may

* Some painful facts concerning the condition of the insane convicts in the Michigan State prison have lately been made public through the newspapers. But the same things are occurring elsewhere.

be appointed, with few exceptions they are men who would not knowingly lend themselves to any of those schemes of fraud and cruelty which prison life is wont to generate; while their intelligence is such that they do not fall ignorantly into misconduct. They come to their duties with the minimum of special qualification, oftentimes, — without having spent a day in a prison, and even without a knowledge of the criminal law, — and, of course, they are sometimes found incompetent. But it often happens that one of these untrained officers, who has been a private soldier perhaps, or a master mechanic, in a few months becomes one of the best of wardens or turnkeys. He has little to unlearn, he is not poisoned by a system or paralyzed by the spirit of routine; while he has acquired that equity of mind, that respect for his fellow-men, and that practical philanthropy which are the best fruits of our social and political institutions. Before the simple good sense of such persons and their upright intentions, the difficulties of the position rapidly vanish, and a year or two places them among the first in their class. We have two or three such examples in mind among the wardens of the State prisons that we have visited.

In this particular, our prisons are probably superior to those of Europe, to many of which they are in some respects inferior. None of our prison buildings can compare with some of those abroad; we have no code of prison rules so carefully prepared and so judiciously administered as those established in Ireland by Sir Walter Crofton, who is now laboring in the same way for England; nor have we anything like the uniform inspection and the elaborate statistical reports of several of the European countries. But, on the other hand, it is doubtful if such horrors as those perpetrated in the Birmingham gaol, on which Charles Reade has founded the most thrilling portion of one of his novels, could exist in any American prison. It is true that in the State prisons of New York great cruelties have been practised, but it must be remembered that in New York the officers of prisons are selected for political reasons, and are frequently quite unfit for any position there except that of convict.

The almost universal prevalence of the contract system of

labor is another point of agreement in American prisons. There is scarcely a State prison in the United States where this mode of employing the labor of the convicts is not now in vogue to some extent, and there is none, we believe, in which it has not recently been used. By this system, the convicts do not work upon material purchased by the State, nor are the finished products of labor sold for the benefit of the prison. Between the State and the laboring convict a third party steps in, — the contractor. He hires the prisoners at so much a day, furnishes instructors and foremen, sometimes machinery and steam power, and carries on the business of a manufactory inside the prison yard. Sometimes one contractor employs all the available men; but usually there are several contractors for each prison, engaged in various manufactures. In the Vermont prison all the men "on contract," as it is termed, are making scythe-snaths; in the New Hampshire prison they are making furniture; but in the Charlestown prison they are engaged in half a dozen different employments under four or five contracts. Iron-founding, the manufacture of iron lamps, clocks, &c., brush-making, whip-making, chair and cabinet-making, are all carried on there, by men who outside the prison would be earning from $2 to $10 a day. The highest price paid by any contractor is $1. Another pays 83 cents a day, and lays aside $2 a week as a bonus to the family of each man, which together amount to $1.16 a day. Probably this is the largest price paid by any prison contractor in the United States, — at least, we have learned of none so high. Much more common are such rates as these: 20 to 31 cents (New Jersey); 35 cents to $1 (Ohio); 40 to 55 cents (Sing Sing); 28 to 45 cents (Michigan); 40 cents (Southern Indiana); 40⅓ cents (Iowa); 38 cents (Minnesota); 35 cents (Vermont); 40 cents (New Hampshire). With such prices, it is no wonder that the prisons are not self-supporting; and, by a reference to the preceding table, it will be seen that none of the above-named prisons are so, except that of New Hampshire. In this prison, however, it is not the contract labor, but the labor of a part of the convicts, directly for the State, which turns the balance in favor of the prison. And nothing can better show the absurdity of the contract system as a finan-

cial measure for the good of the State, than the figures given in the table.

But there is a much stronger argument against admitting contractors into the prisons. Their interest is not to secure the reformation of the convicts, or the discipline of the prison, but to get the maximum of profits out of the men. Accordingly, they are anxious to keep as many as possible off the sick list, and to reduce to a minimum the hours spent by the convict in study and reading. These and other evils incident to the system are set forth by Dr. Fosgate, perhaps in colors too glaring, but so as to convey a wholesome truth.

"The contracts are held, generally, by individuals possessed of wealth and endowed with talents; influential in society, and oftener than otherwise powerful in party politics. In fact, they are among the strongest members of the community. *Now, it would be preposterous to suppose that individuals, whose salaries barely suffice for their support, and who depend for that support upon the precarious tenure of office, could meet, single-handed, those contractors whose familiarity with the institution gives them an advantage over both officers and convicts absolutely incalculable. The truth is, that the interests of the contractor and the interests of the State are continually at variance.* It would seem that the institution was established to gratify the cupidity of the one, to the total disregard of the other; and that the momentous interests of society involved in the good management of criminals were entirely ignored. It is through this branch of polity that the corruptibility of prison inspectors is so readily attained, and which, as by contagion, reaches every grade, until a full development is found in its incarcerated population.

"The contract plan of support is not only detrimental to the State, but unjust to the convict, as it regards each one whose labor is contracted for an able-bodied man, and consequently a corresponding amount of labor is required of him. The modifying influences of incarceration are disregarded, and, through bribes from the contractor, or punishment by the keeper, he is driven on until he falls under the care of the physician, again to run, on his restoration to health, the usual round of injustice.

"The discipline is also seriously impaired by the common practice of bribing convicts to increased exertion. Shut up from the pleasures and luxuries of life, the appetite becomes a mighty lever in the hands of the unscrupulous. The craving for fruit, confectionery, spirits, and whatever may be the desire of taste or fancy, are the means whereby

many a convict is driven to labor with a zeal almost unaccountable. To gratify these cravings is to overstep the rules of order. *Yet it is the secret work of daily practice, and when discovered by the officer on duty, it is at his peril that he reports the offender. Experience, gained by precept and example, has taught him that the money power of the contractor is more efficient, in prison management, than the political influence of the officials in whose keeping they are but apparently placed.*

"Upon a close investigation, it would be found that the financial result of this system is as unprofitable to the State as its moral effects are pernicious to the officers and convicts." — *Crime and Punishment*, pp. 30 – 32.

These passages all deserve attention, but those which we have put in italics contain a truth which the experience of every prison where the same contractor has long employed labor will fully sustain.

The New York Prison Association, to which we have already alluded, has undertaken, by authority of an order of the last Legislature, to examine the prisons of that State, and to receive testimony from persons not connected with the prison administration, as well as from the officers, in regard to the contract system, among other things. These investigations began on the 10th of August last, in the city of New York, and have been continued at the several State prisons and penitentiaries. The evidence thus obtained will probably have weight in other States, and we hope will lead to the modification or abandonment of contracts in our prisons.

The two conflicting modes of prison discipline — Silent and Separate, or Auburn and Pennsylvania — are still on trial in the United States. Both have been seriously modified within forty years, and, in some respects, have shown a tendency to approach each other. The Irish system has also offered itself as a compromise between the two, or rather as an improvement upon both. But we cannot perceive that the partisan spirit of the advocates of either system has grown milder. The Report of the Charlestown prison declares that the "Massachusetts system" comprises "*all that is desirable, valuable, or elevating* to be found in any of the others, *discarding the many evils connected therewith.*" *

* Report of the Massachusetts State Prison, 1865, p. 23.

The Report of the Eastern Penitentiary of Pennsylvania for 1866 takes up the antiphony in a similar strain: —

"In vain is it that experiments are tried by plans for 'Intermediate Prisons,' 'Tickets-of-Leave,' 'Police Supervisions,' 'Self-shortening Sentences,' and kindred projects, which involve association of the convicts during punishment. *They will all fail. They are in open hostility to the philosophy of penal jurisprudence, and the logic of cause and consequence. There can be no exception to either which can be relied upon as controlling the principles which underlie both.*" — p. 25.

"If the facts don't agree with my theory," said Sir Joseph Banks, "so much the worse for the facts." Considering the evidence we have in regard to the success of "self-shortening sentences," and the other parts of the Irish system, the passage quoted has a singular sound. That the officers of the Philadelphia prison do really believe in and understand the principle of their system is clear, however, and we honor them for it, while wishing their zeal was tempered with a greater knowledge of the facts. But what shall we say of the Warden of the Pittsburg Penitentiary, who, with all the logical and penological appliances of the Pennsylvania system at his hand, finds the great agent in prison discipline to be — *Tobacco!* We quote from his last Report: —

"*There is no punishment so severe to him as depriving the convict of tobacco.* He will resort to every species of cunning to obtain it, and, if unsuccessful, will become sullen and obstinate, and refuse to work. *The giving or withholding it according to conduct, would be one of the most effectual means of controlling the turbulent.* I would suggest that the Inspectors should ask the Legislature to have the law with reference to this matter so modified, that it may be left discretionary with the officers of the prison *to administer tobacco in limited quantities, as a reward for good behavior.*" — p. 5.

Our own impression is, that tobacco would be found less serviceable than a good plan of religious and secular instruction, carried out by an earnest and gifted chaplain, such as we find described in the Report of the Albany Penitentiary for 1865: —

"I know well that a merely official discharge of chaplain services in our convict institutions will do but little good, and that they require men of sound judgment, extended knowledge, ready and correct obser-

vation, and fervent piety. After spending several years in pastoral labor, and that in a town adjoining Boston, I am compelled to say that these services demand all the talent required for an ordinary pastorate; and that many a good man that might honorably fill the latter would find himself incompetent to the requisitions of the former.

"Let men be engaged in these chaplaincies of practical wisdom, of ripened experience, of catholic dispositions and sentiments, who are animated by the love of God, and who will cheerfully devote their powers of body and mind to the work; and let their whole time be engaged and adequately remunerated, and, other things being equal, success will be realized beyond what has yet been known, and the problem, How shall we reform our convicts? will be wellnigh solved." — p. 32.

In the Ohio Penitentiary, it is a part of the chaplain's duty to look after the education of the convicts. In his last Report he says: —

"There is also in this department the prison school, devoted to secular instruction in the various branches prescribed by law. The whole number attending the school during the year was seventy-seven. Average daily attendance, seventeen. Of these 51 were white, 26 were colored. Ages as follows:

20 years of age and under, ...	27
Over 20 years of age and under 30 years, . .	42
" 30 " " " 40 " . . .	6
" 40 " "	2

"Of this number, forty-two were without education when sent to the prison, nineteen could read a little, and sixteen could barely read and write. The advantages of the school cannot be overrated, and it is to be regretted that the incentives to overwork are such as to induce many to forego these advantages, that they may earn something for themselves and their families.

. . . . . .

"In the department of secular instruction the results have been highly gratifying. Of the seventy-seven who have attended the school during the year, all but five have acquired a knowledge of reading, and some already show a remarkable proficiency in the art of writing; while others discover a taste and talent for arithmetic, the study of which is so well calculated to beguile the solitary hours of prison life of their sad loneliness." — *Ohio Pen. Rep.*, 1865, p. 18.

The statements here made may serve as a slight answer to those who doubt whether a school can be carried on in a prison.

In a few other State prisons the same attention is paid to secular instruction, but nowhere in this country are such brilliant results achieved as those which Mr. Organ can show in his Dublin prisons.

The increasing necessity of this sort of instruction appears from the increasing number of prisoners who cannot read and write. This increase seems to be coincident, (though far less marked,) with the increase in army and navy convicts. In Massachusetts, in New Hampshire and Vermont, and probably in all New England, *two thirds* of the commitments within the last twelve months have been of men who served by land or sea during the late civil war. In the Philadelphia Penitentiary, the Inspectors say, —

"The number of prisoners received during the year who have served in the army, has been largely in proportion to the whole number. Since January 1, 1866, this class of prisoners has largely increased."

From the "Journal of Prison Discipline," we quote the following in regard to this prison: —

"In our visits to the newly-admitted prisoners within the same period, we find ninety-eight, sixty-seven of whom are from the county jails. Of the whole number, fifty-nine have been in the army or navy. Of the last twenty-eight admissions, eight tenths are of that class on whose account our feelings have been deeply enlisted. They appear to be nearly all first convictions. In conversing with them, it is admitted that the moral hedge has been weakened by the army associations and practices; through the frailty of our common nature, and the want of moral courage, they have fallen. It is a painful reflection, that men who have perilled their lives for the stability of our government should be brought into this situation, some having long sentences.

"It is suggested whether something cannot be done to alleviate their condition. When we reflect that every State in the Union has contributed its quota to this class, and that they have returned there respectively to be disbanded, it is reasonable to suppose that all of the State prisons in the Union will make a similar exhibit to our own." — *Report of Committee on Discharged Prisoners*, p. 250.

From the same Journal we quote the only description we have seen of a Southern Penitentiary since the war ended, — that at Richmond, Virginia.

"The Penitentiary I found under the control of a military guard,

who kindly received me. Two of the old officers remaining informed me of the manner in which it was conducted before the evacuation of Richmond. The prison was conducted on the silent system: working together in extensive factories in the daytime, and locked in separate cells at night, and on the Sabbath. They have no moral instruction, no library for the use of the prisoners, nor any care taken to classify them. The law required a full separation of the sexes, yet they communicated through the soil pipes. Average number, two hundred and fifty before the war, — fifteen females. There was an infirmary, which is now burned, with the keeper's apartments, and the general destruction of engines and manufacturing implements. The inmates were all liberated by their own act of violence, at the time of the evacuation of the city, since which the military guard have captured about seventy, with twenty other convicts, now numbering ninety, all thrown together, without work or discipline. The county jail was unoccupied." — *Report of Mr. Willetts to Gov. Peirpont*, 1865, p. 171.

With a few more details of the condition of the American prisons, we may offer some general statements, and some suggestions for their improvement, recapitulating and adding to those already made.

The most marked circumstance in the prison annals of America for the past ten years has been the diminution of punished crime since the war began in 1861, and its rapid increase since April, 1865. This might have been anticipated, but perhaps not to the extent which was actually noticed. In the State prison of Massachusetts, at Charlestown, the average number of convicts in 1861 was 520; in 1865 it was only 359. The highest number in 1861 had been 554; the lowest number in 1865, 342. In 1858, the county prisons of Massachusetts reported an average of 1,957 prisoners; in 1865, but 1,050; while the number at the lowest point was but 950.* In the Ohio Penitentiary, in November, 1860, there were 932 convicts; in November, 1865, exclusive of military prisoners, there were but 567. In 1861, the average number in the New York State prisons was 2,762; in 1865, it was but 1,826, of whom a part were military prisoners. This decrease extended to Canada, and would have been much greater there, if it had not been checked by the increase of deserters, Copperheads,

* This excludes the Boston House of Industry.

and Rebels in some parts of the Province. In 1863 the number committed to the Provincial Penitentiary at Kingston was 295; in 1864 it was only 166.

In most places, this decrease was only of male criminals, and was generally accompanied with a large increase of crime among females. Thus, at Sing Sing, the average number of female convicts in 1857 was but 84, while in 1865 it was 169, or more than double. In 1860 the female commitments to the Massachusetts county prisons were about 2,000; in 1864 they were at least 3,500, while in 1865 they fell again to 2,700, and will this year be still less. In some States, however, and in Canada, there was a decrease in female crime, even during the war.

How rapidly commitments have risen in number since April, 1865, will be seen by the following figures. For the six months ending with that date, there were 40 commitments to the Charlestown prison; in the next six months there were 80, and in the six months ending April 1, 1866, there were 179 commitments; being an increase in these three periods at a geometrical ratio of more than *two*. At the Auburn prison, the number committed in the six months ending April 1, 1865, was 91; in the next six months it was 114, and in the next ten months 440. Here the rate of increase is still greater, being nearly *six* to one, instead of *four and a half* to one; and it is the more extraordinary, because the proportion of returned soldiers committed is estimated only at *two fifths*, instead of *two thirds*, as at Charlestown. In the Eastern Penitentiary of Pennsylvania, the number committed in the six months ending April 1, 1865, was 56; in the next six months, 134; and in the six months ending April 1, 1866, not less than 200. In the Western Penitentiary, the commitments in the first period were 49; in the second, 52; and in the ten months following, 217, of whom about *three fifths* were returned soldiers.

The startling number of soldiers and sailors in our prisons has been made a new occasion for denouncing the war and those who have carried it on. We must be a little careful how we accept this conclusion. It should be remembered that our prisons are not yet so full, by some thousands, as they were

before the war, although our population has largely increased, and certain causes of crime not growing out of a state of war have been operating powerfully; that the alarming increase in commitments which manifested itself within the first year after the fall of Richmond is already checked; and that there had been a steady growth of crime for the five years preceding the war. Nor will it escape notice that, in many places, there has been a rapid acceleration of commitments other than those of persons who took a direct part in the war. Even in the Massachusetts prison, where, probably, the statistics are most accurate on this head, these commitments rose from 28 in the first period of six months, to 36 in the second, and about 60 in the third period, between October 1, 1864, and April 1, 1866. In the Auburn prison, the number of civilian commitments has not simply doubled, but quadrupled, and similar facts are observed elsewhere.

But we cannot look with unconcern upon the thousands of veterans now lying in our prisons, though their crimes may have been heinous and their punishment deserved. A man who has lost one arm in defence of the nation, working with the other at the convict's bench, is not an agreeable spectacle; nor do we smile to see "*les habits bleus par la victoire usés*" exchanged for the prison-jacket. What stirs within us at such sights as these may well lead us to consider how our prisons can be improved. If they truly were what the theory of our law contemplates, — moral hospitals for the reformation of the culprit, as well as workshops and dungeons, — we should still shrink at the thought of pensioning in them the comrades of Grant and Sherman, of Foote and Farragut and Winslow. But as we know them to be, the good ones almost ineffective for good, the indifferent tending towards evil, and the bad fearfully developing and gendering crime, how can we rest under the thought that they are exercising their most hurtful influences upon thousands of these brave men? And this mode of argument, far more forcible than logical, will, we believe, produce in the minds of many a new interest in Prison Discipline.

The first step towards improving our prisons is to provide a uniform and impartial inspection. This step has already been

taken in Canada, where, since 1859, the Board of Inspectors of Asylums, Prisons, and Hospitals have been intrusted with the supervision of all such establishments in the Province. The Secretary of this Board, Mr. E. A. Meredith, has devoted much time and ability to the examination of prisons, and has more than once made special reports recommending improvements in the system in use. Mr. Meredith favors the Irish System, and, we believe, was the first official person on this side of the Atlantic to give it his hearty adhesion.

The prison inspection of Massachusetts and New York, though better than in most of the States, is much less efficient than that of Canada. In Massachusetts the Board of Charities, in New York the Prison Association, perform duties of inspection in addition to the regular Inspectors; but these bodies cannot make such frequent visits as a thorough inspection requires. The special investigation lately held by the Prison Association, however, is one of the most searching ever instituted in America. Provision should be made in every State for such examinations by an impartial inspector or commission, not chosen by political intrigue or local partiality, but bringing to the work a knowledge of the subject and a spirit of intelligent humanity.

We hazard nothing in predicting that the first recommendation of such inspectors would be a more strict separation and classification of prisoners, for that has always been the first result of careful examinations in congregate prisons. Probably they would next urge, as half the wardens in the country do, the importance of "commutation," or *conditional remission*, — that is, the shortening of sentences for good behavior; and would insist on some effectual means of aiding discharged prisoners to find employment. They would then call for a better religious and secular instruction of the convicts while in prison, and a systematic organization of their labor. They would demand instruction in reading and writing for every prison in the land, and would cry out against that enforced idleness which is the curse of our jails. Along with these things, they would seek to regulate by wise rules and by frequent inspection the sanitary condition of the prisons. They would see that baths were regular, that the food was neither

too good nor too bad, that cleanliness was made a religion, that the wardrobe of the prisoners was sufficient and properly changed, and that they should have an occasional holiday. They would demand that the contractor should not stand between justice and the convict; and that neither the convict nor the public should be defrauded in the payment of wages. They would point out faults in the prison officers, and specify what qualities and what experience are needful in such establishments.

When these and the concomitant changes shall be effected in our prisons, we shall have all that is best in the Irish System, which is now the most successful in the world. Under it the prisons of Dublin have become in earnest what Charles Reade called the English prisons in bitter jest, — "adult schools of manners, morals, religion, grammar, writing, and cobbling." This system has by no means reached perfection, but it travels in the way of common sense and common humanity towards it, and, we believe, is destined to achieve its greatest success in some parts of the United States. In Vermont, for example, where a simple state of society and a profound desire for the good of men combine with the demand for labor to make the path of the reformed convict an easy one; in Massachusetts, where the union of numbers, and the profuse beneficence of a community accustomed to further its kindly purposes by large gifts, can be brought to the aid of the more unfortunate of the human race; and in many other States, the ideas of Maconochie and Crofton will find their more complete realization. But before this can happen, it is necessary that the public attention should be plainly directed to the defects, as well as the excellences, of our prisons, and in our judgment he is the best friend of all concerned who does this sharply and with sincerity.

ART. IV. — 1. *Manual of the Corporation of the City of New York.* By D. T. VALENTINE. From 1841 to 1865. Prepared and published at the Expense of the City.

2. *Documents of the Board of Aldermen of the City of New York.* From No. 45 to No. 64. McSpedon and Baker. 1854.

3. *Annual Reports of the Comptroller, exhibiting the Receipts and Expenditures of the County Government.* The New York Printing Company. 1864 and 1865.

4. *Report of the Citizens' Association.* New York: George F. Nesbitt & Co. 1865.

5. *Wholesale Corruption. Sale of Situations in Fourth Ward Schools. Report of the Committee appointed by the Board of Education.* Published by the Citizens' Association of New York. 1866.

6. *One Job of the Conspirators who govern our City.* Published by the Citizens' Association of New York. 1866.

7. *Clean Streets for Three Hundred Thousand Dollars a Year.* By D. D. BADGER. Published by the Citizens' Association of New York. 1866.

8. *Work is King. A Word with Workingmen in Regard to their Interest in good City Government.* Published by the Citizens' Association of New York. 1866.

9. *Who pays for the Stealings? The Workingman!* Published by the Citizens' Association of New York. 1864.

10. *A few Questions for Workingmen to think of.* Published by the Citizens' Association of New York. 1865.

11. *Improved Dwellings for the Industrial Classes. A Plea for the Wives and Mothers.* Published by the Citizens' Association of New York. 1866.

12. *City Finances. Items of Expenditure for Stationery and Printing.* Published by the Citizens' Association of New York. 1866.

13. *Items of Abuse in the Government of the City of New York.* Published by the Citizens' Association of New York. 1866.

14. *Report of the Executive Council to the Honorary Council of the Citizens' Association of New York.* 1866.

15. *Analysis of the proposed Tax Levy for the City and County*

of New York for the Year 1866. Published by the Citizens' Association of New York.

16. *Important Reform Measures passed by the Legislature of* 1866. Published by the Citizens' Association of New York.
17. *An Appeal by the Citizens' Association of New York against the Abuses of the Local Government, to the Legislature of the State of New York, and to the Public.* 1866.
18. *Communication to the Commissioners of the Central Park.* By ANDREW H. GREEN, Comptroller of the Park. New York: Bryant & Co. 1866.
19. *Petition to the Market Committees of the Boards of Aldermen and Councilmen of the City of New York.* By THOMAS F. DE VOE, Butcher, No. 8 Jefferson Market. Published for the Author. 1855.

ON certain conditions, a very large proportion of the whole human race will steal. The opportunity must be good, of course, and the chance of detection small; the stealing must easily admit of being called by another name; and, above all, the theft must be of such a nature that the thief does not witness the pain which the loss of the stolen property occasions. On these conditions, almost all children and other immature persons, as well as a great number of average honest men and women, will steal. One proof of the civilizing power which the late Horace Mann exercised over the pupils of Antioch College in Ohio was, that no depredations were committed by those raw lads upon the orchards and gardens of the neighborhood. Mrs. Mann is justified in mentioning this fact as one that does honor to the memory of her husband; for the boy who steals apples from an orchard usually has an excellent opportunity, and seldom has the slightest sense of doing an injury to the owner. He takes a handkerchief full from an unseen person, who has whole acres strewn with fruit and trees bending with the weight of it, and who will never know that particular loss. If the stolen property presented itself in its ultimate form, — a piece of bread and butter going into the mouth of one of the farmer's little children, — not one boy in ten thousand would steal a crumb of it; but so long as it is mere apples lying in an orchard, all boys will steal it without

compunction, unless they have been exceptionally well bred or taught.

Well-informed persons, who have been officially obliged to consider the matter, assure us that a majority of car-conductors, omnibus-drivers, and all other takers of unrecorded and untraceable money, are habitual thieves in all countries. It is the constant study of able managers to arrange a system that shall remove a temptation which experience has shown to be generally irresistible. Our fair readers, if we are so happy as to have any for so repulsive a subject, are acquainted with a class of active little mortals, — the cash-boys of our large dry-goods stores. Cash-boys had never appeared on earth if clerks had never stolen. But we need not multiply examples. The self-knowledge of the most honest men suffices. Who has not observed the unwillingness of persons of tried and punctilious integrity to put themselves in the way of temptation? It is because those know most of the moral weakness of men who have converted that weakness into strength. How often have we admired the exquisite modesty of Benjamin Franklin in that passage, written when he was an old man, in which he attributes the honesty of his early life to the fact that his trade brought him in such "plentiful supplies" of money, that he had little temptation to do wrong. This was not a confession in the "high-toned" style, but that is the way honest men feel who know themselves.

We have undertaken to write something about the government of the city of New York, and yet we have fallen into a discourse upon stealing. The reason is, that, after having spent several weeks in investigating our subject, we find that we have been employed in nothing else but discovering in how many ways, and under what a variety of names and pretexts, immature and greedy men steal from that fruitful and ill-fenced orchard, the city treasury.

That the government of the city of New York has had, for several years past, an exceedingly bad name in the world, is probably known to all our readers. It has fallen into complete contempt. It is a dishonor to belong to it. Persons of good repute do not willingly associate with the rulers of the city, unless they are known to be of the small number who hold their

offices for the purpose of frustrating iniquitous schemes. When it was found, last winter, that the Aldermen and Councilmen of the city must necessarily attend the ball of the Seventh Regiment at the Academy of Music, many respectable persons who had bought tickets sold them again, rather than jostle those magnates. The Rev. Henry Ward Beecher recently said, in the pulpit, that perhaps the government of the city of New York did more moral harm to the people of New York than all the churches together did good. Nevertheless, since we are all disposed to exaggerate evils vaguely known, and since the cry of corruption is habitually raised by corrupt men for purposes of intimidation or revenge, we entered upon our task fully prepared to find the affairs of the city less corruptly administered than they are supposed to be. It is an old remark, that good people are not quite as good, nor bad people as bad, as popular rumor gives them out.

It occurred to us, that perhaps the best way of beginning an investigation of the city government would be to go down to the City Hall and look at it. It proved not to be there. To keep the whole city from falling a prey to the monster, it has been gradually cut to pieces, and scattered over the island; but, like the reptiles whose severed fragments become each a perfect creature, with maw as spacious and appetite as keen as the original worm, so each portion of the divided system is now a self-operating and independent apparatus. In the City Hall, however, the legislature of the city still assembles. It consists of two honorable bodies, — the Board of Aldermen, seventeen in number, elected for two years, and the Board of Councilmen, twenty-four in number, elected for one year, — each member of both boards receiving a salary of two thousand dollars a year. Considering that they meet but twice a week, always in the afternoon, and that the session averages one hour's duration, these gentlemen cannot be said to be ill paid. They are compensated for their valuable services at twice the rate at which the labors of the Chief Justice of the Supreme Court of the United States are rewarded. But then it costs those city legislators something to be elected. The legitimate expenses of an election to either of the boards amount to about three hundred dollars; but many a candidate expends a thou-

sand dollars of his own money and several hundred dollars of other people's.

It is to the Chamber of the Board of Councilmen that we beg first to invite the courteous reader. This apartment being in the second story of the building, we pass many open doors on our way to it, through which we see idle men with their feet upon tables smoking cigars. There are few buildings in the world, probably, wherein the consumption of tobacco in all its forms goes on more vigorously during business hours than the City Hall of New York. Smoke comes in clouds from many rooms, and the vessel which Mr. Thackeray used to call the "expectoratoon" is everywhere seen. If we enter the Councilmen's Chamber a few minutes before the time of beginning the session, we observe many members smoking; and as soon as there is a prospect of an adjournment, the same gentlemen begin to fondle their cigars, to hand them about, or even toss them to one another, so that when the adjournment does take place not a moment may be lost. Twice we have seen a member light his cigar before an adjournment was carried. The very clerks of this "honorable body" write out their notes of the proceedings smoking cigars of a flavor beyond that which the pursuit of literature allows.

The Councilmen's Chamber, a lofty and spacious room, provided by the liberal forethought of honest and public-spirited men sixty years ago, is furnished with preposterous magnificence; *not* "regardless of expense," however, as some have inconsiderately alleged. On the contrary, expense was evidently the first object sought by the persons who had the work in charge; and, accordingly, wherever a thousand-dollar thing could be put, there you behold it. The apartment is arranged on the plan of the Representatives' Chamber in the Capitol at Washington. The President sits aloft, in a richly canopied recess; below him are four clerks in a row; the members sit in two semicircles, in chairs of the most massive mahogany, at desks of solid elegance. The windows are shaded by curtains heavy with expense, and the carpet is thick with it. In case the session, which begins at 2 P. M., should chance to prolong itself to the evening, there is a chandelier of the most elaborate and ramified description, such as would rejoice the

heart of any contractor to furnish. To remind members, who all have gold watches, of the passage of time, there is a clock of vast size, splendid with gilt and carving. Four staring, full-length portraits of Fillmore, Clay, Young, and Hamilton Fish disfigure the walls, and the father of his country looks coldly down upon the scene in marble. *He* never had such furniture either at Mount Vernon or at Philadelphia, nor did he ever see such at Independence Hall. The ceiling is frescoed, and a great gilt eagle spreads his wings over the President's canopy. Besides this gorgeous apartment, the Councilmen have a large and handsomely furnished room for their clerks and books, and a private room, densely carpeted, for themselves, where there is a wardrobe for each member's overcoat and umbrella. These wardrobes are very properly provided with lock and key.

To assist this "honorable body" in the business of legislation, there is a "chief clerk," whose salary is $3,000 a year; there is a "deputy clerk," at $2,000 a year; there is a "first assistant clerk," at $1,500 a year; there is a "second assistant clerk," at the same; there is a "general clerk," at $1,200 a year; there is an "engrossing clerk," at $1,250 a year; there is a "sergeant-at-arms," at $1,200 a year; there is a "reader," at the same; there is a "door-keeper," at $750 a year; there is a "messenger," at $1,200 a year; and there is an "assistant messenger," at $1,100 a year. In short, there is not a legislative body in the world more completely provided with all external aids and appliances for the work in hand than the Honorable the Board of Councilmen of the City of New York. To the salaries of these officers the Councilmen add, in the form of gifts for "extra services," six or seven thousand dollars more, and they bestow upon the reporters of seventeen newspapers, for not reporting their proceedings, two hundred dollars a year each. Perhaps the clerks also are paid for not doing their duty, — if any duty can be found for so many, — for we were present in the chamber, last June, when a communication from the Mayor was read, in which he complained that bills came to him for approval so badly written that he could scarcely read them, and declaring that hereafter he would pay no attention to acts not properly engrossed.

The twenty-four Councilmen who have provided themselves with such ample assistance at such costly accommodation are mostly very young men, — the majority appear to be under thirty. Does the reader remember the pleasant description given by Mr. Hawthorne of the sprightly young bar-keeper who rainbows the glittering drink so dexterously from one tumbler to another? That sprightly young bar-keeper might stand as the type of the young men composing this board. There are respectable men in the body. There are six who have never knowingly cast an improper vote. There is one respectable physician, three lawyers, ten mechanics, and only four who acknowledge to be dealers in liquors. But there is a certain air about most of these young Councilmen which, in the eyes of a New-Yorker, stamps them as belonging to what has been styled of late years "our ruling class," — butcher-boys who have got into politics, bar-keepers who have taken a leading part in primary ward meetings, and young fellows who hang about engine-houses and billiard-rooms. A stranger would naturally expect to find in such a board men who have shown ability and acquired distinction in private business. We say, again, that there *are* honest and estimable men in the body; but we also assert, that there is not an individual in it who has attained any considerable rank in the vocation which he professes. If we were to print the list here, not a name would be generally recognized. Honest Christopher Pullman, for example, who leads the honest minority of six that vainly oppose every scheme of plunder, is a young man of twenty-seven, just beginning business as a cabinet-maker. Honest William B. White, another of the six, is the manager of a printing-office. Honest Stephen Roberts is a sturdy smith, who has a shop near a wharf for repairing the iron-work of ships. Morris A. Tyng, another of the honest six, is a young lawyer getting into practice. We make no remark upon these facts, being only desirous to show the business standing of the men to whom the citizens of New York have confided the spending of sundry millions per annum. The majority of this board are about equal, in point of experience and ability, to the management of an oyster-stand in a market. Such expressions as "them laws," "sot the table," "71st rig-

ment," and "them arguments is played out," may be heard on almost any Monday or Thursday afternoon, between two and three o'clock, in this sumptuous chamber.

But what most strikes and puzzles the stranger is the crowd of spectators outside the railing. It is the rogues' gallery come to life, with here and there an honest-looking laboror wearing the garments of his calling. We attended six sessions of this "honorable body," and on every occasion there was the same kind of crowd looking on, who sat the session out. Frequently we observed looks and words of recognition pass between the members and this curious audience; and, once, we saw a member gayly toss a paper of tobacco to one of them, who caught it with pleasing dexterity. We are unable to explain the regular presence of this great number of the unornamental portion of our fellow-beings, since we could never see any indications that any of the crowd had an *interest* in the proceedings. As the debates are never reported by any one of the seventeen reporters who are paid two hundred dollars a year for not doing it, and as the educated portion of the community never attend the sessions, this board sits, practically, with closed doors. Their schemes are both conceived and executed in secrecy, though the door is open to all who wish to enter. This is the more surprising, because almost every session of the board furnishes the material for a report, which an able and public-spirited journalist would gladly buy at the highest price paid for such work in any city.

Debates is a ludicrous word to apply to the proceedings of the Councilmen. Most of the business done by them is pushed through without the slightest discussion, and is of such a nature that members cannot be prepared to discuss it. The most reckless haste marks every part of the performance. A member proposes that certain lots be provided with curbstones; another, that a free drinking hydrant be placed on a certain corner five miles up town; and another, that certain blocks of a distant street be paved with Belgian pavement. Respecting the utility of these works, members generally know nothing and can say nothing; nor are they proper objects of legislation. The resolutions are adopted, usually, without a word of explanation, and at a speed that must be seen to be appreciated. The first and

last impression made upon a disinterested spectator is, that this most expensive body, even if every member were an honest man, would be absolutely useless. A competent street inspector, properly aided by the police, could do all the real work that is left to them to do; for such has been the flagrant abuse of their power, that, by degrees, they have been deprived by the State Legislature of a great part of the authority they once possessed; but the power to do mischief remains. This "honorable body" can still waste, give away, and steal the money of their constituents.

The only way in which we can convey to the reader's mind a lively idea of the character of the city legislature is to relate, as simply as possible, a few of their acts of last summer, which we witnessed ourselves and recorded on the day of their perpetration. There is no "mystery of iniquity" in the business; to understand the game which the majority of this body are playing, it is only necessary to sit out two or three of their ordinary sessions. We own it is a trial to the patience. There will be moments when a person of vivacious turn of mind will feel an almost irresistible impulse to throw something at the head of those insolent young bar-keepers, who have contrived to get their hands into the public pocket, and are scattering wide the hard-earned money of good citizens and faithful fathers of families.

At almost every session we witnessed scenes like the following. A member proposed to lease a certain building for a city court at two thousand dollars a year for ten years. Honest Christopher Pullman, a faithful and laborious public servant, objected on one or two grounds; — first, rents being unnaturally high, owing to several well-known and temporary causes, it would be unjust to the city to fix the rent at present rates for so long a period; secondly, he had been himself to see the building, had taken pains to inform himself as to its value, and was prepared to prove that twelve hundred dollars a year was a proper rent for it, even at the inflated rates. He made this statement with excellent brevity, moderation, and good temper, and concluded by moving that the term be two instead of ten years. A robust young man with a bull-neck and of ungrammatical habits said, in a tone expressive of impatient

disdain, that the landlord of the building had "refused" fifteen hundred dollars a year for it. "Question!" "Question!" shouted half a dozen angry voices. The question was instantly put, when a perfect war of *noes* voted down Mr. Pullman's amendment. Another hearty chorus of *ayes* consummated the iniquity. In all such affairs, the visitor notices a kind of ungovernable propensity to vote for spending money, and a prompt disgust at any obstacle raised or objection made. The bull-necked Councilman of uncertain grammar evidently felt that Mr. Pullman's modest interference on behalf of the tax-payer was a most gross impertinence. He felt himself an injured being, and his companions shared his indignation.

We proceed to another and better specimen. A resolution was introduced, appropriating four thousand dollars for the purpose of presenting stands of colors to five regiments of city militia, which were named, each stand to cost eight hundred dollars. Mr. Pullman, as usual, objected, and we beg the reader to mark his objections. He said that he was a member of the committee which had reported the resolution, but he had never heard of it till that moment; the scheme had been "sprung" upon him. The chairman of the committee replied to this, that, since the other regiments had had colors given them by the city, he did not suppose that any one could object to these remaining five receiving the same compliment, and therefore he had not thought it worth while to summon the gentleman. "Besides," said he, "it is a small matter anyhow"; — by which he evidently meant to intimate that the objector was a very small person. To this last remark, a member replied, that he did not consider four thousand dollars so very small a matter. "Anyhow," he added, "we oughter save the city every dollar we kin." Mr. Pullman resumed. He stated that the Legislature of the State, several months before, had voted a stand of colors to each infantry regiment in the State; that the distribution of these colors had already begun; that the five regiments would soon receive them; and that, consequently, there was no need of their having the colors which it was now proposed to give them. A member roughly replied, that the colors voted by the State Legislature were mere painted banners, "of no account." Mr. Pullman denied this. "I am," said he, "captain in one of

our city regiments; two weeks ago we received our colors. I have seen, felt, examined, and marched under them; and I can testify that they are of great beauty and excellent quality, made by Tiffany and Company, a firm of the first standing in the city." He proceeded to describe the colors as being made of the best silk, and decorated in the most elegant manner. He further objected to the price proposed to be given for the colors. He declared that, from his connection with the militia, he had become acquainted with the value of such articles, and he could procure colors of the best kind ever used in the service for three hundred and seventy-five dollars. The price named in the resolution was, therefore, most excessive. Upon this, another member rose and said, in a peculiarly offensive manner, that it would be two years before Tiffany and Company had made all the colors, and some of the regiments would have to wait all that time. "The other regiments," said he, "have had colors presented by the city, and I don't see why we should show partiality." Whereupon Mr. Pullman informed the board that the *city* regiments would all be supplied in a few weeks; and, even if they did have to wait awhile, it was of no consequence, for they all had very good colors already. Honest Stephen Roberts then rose, and said that this was a subject with which he was not acquainted, but that if no one could refute what Mr. Pullman had said, he should be obliged to vote against the resolution.

Then there was a pause. The cry of "Question!" was heard. The ayes and noes were called. The resolution was carried by eighteen to five. The learned suppose that one half of this stolen four thousand dollars was expended upon the colors, and the other half divided among about forty persons. It is conjectured that each member of the Councilmen's Ring, which consists of thirteen, received about forty dollars for his vote on this occasion. This sum added to his pay, which is twenty dollars per session, made a tolerable afternoon's work.

Any one witnessing this scene would certainly have supposed that *now* the militia regiments of the city of New York were provided with colors. What was our surprise to hear, a few days after, a member gravely propose to appropriate eight hundred dollars for the purpose of presenting the Ninth Regiment of New

York Infantry with a stand of colors. Mr. Pullman repeated his objections, and recounted anew the generosity of the State Legislature. The eighteen, without a word of reply, voted for the grant as before. It so chanced that, on our way up Broadway, an hour after, we met that very regiment marching down with its colors flying; and we observed that those colors were nearly new. Indeed, there is such a propensity in the public to present colors to popular regiments, that some of them have as many as five stands, of various degrees of splendor. There is nothing about which Councilmen need feel so little anxiety as a deficiency in the supply of regimental colors. When, at last, these extravagant banners voted by the Corporation are presented to the regiments, a new scene of plunder is exhibited. The officers of the favored regiment are invited to a room in the basement of the City Hall, where city officials assist them to consume three hundred dollars' worth of champagne, sandwiches, and cold chicken, — paid for out of the city treasury, — while the privates of the regiment await the return of their officers in the unshaded portion of the adjacent park.

It is a favorite trick with these Councilmen, as of all politicians, to devise measures the passage of which will gratify large *bodies* of voter's. This is one of the advantages proposed to be gained by the presentation of colors to regiments, and the same system is pursued with regard to churches and societies. At every one of the six sessions of the Councilmen which we attended, resolutions were introduced to give away the peoples' money to wealthy organizations. A church, for example, is assessed a thousand dollars for the construction of a sewer, which enhances the value of the church property by at least the amount of the assessment. Straightway a member from that neighborhood proposes to console the stricken church with a "donation" of a thousand dollars to enable it to pay the assessment; and as this is a proposition to vote money, it is carried as a matter of course. We select from our notes only one of these donating scenes. A member proposed to give two thousand dollars to a certain industrial school, — the favorite charity of the present time, to which all the benevolent most willingly subscribe. Vigilant Christopher Pullman reminded the board that it was now unlawful for the Corporation to vote

money for any object not specified in the tax levy, as finally sanctioned by the Legislature. He read the section of the act which forbade it. He further showed, from a statement by the Comptroller, that there was no money left at their disposal for any *miscellaneous* objects, since the appropriation for "City contingencies" was exhausted. The only reply to his remarks was the instant passage of the resolution by eighteen to five. By what artifice the law is likely to be evaded in such cases, we may show further on. In all probability, the industrial school, in the course of the year, will receive a fraction of this money, perhaps even so large a fraction as one half. It may be that, ere now, some obliging person about the City Hall has offered to buy the claim for a thousand dollars, and take the risk of the hocus-pocus necessary for getting it, — which to *him* is no risk at all.

It was proposed, on another occasion, to raise the fees of the inspectors of weights and measures, who received fifty cents for inspecting a pair of platform scales, and smaller sums for scales and measures of less importance. Here was a subject upon which honest Stephen Roberts, whose shop is in a street where scales and measures abound, was entirely at home. He showed, in his sturdy and strenuous manner, that, at the rates then established, an active man could make two hundred dollars a day. "Why," said he, "a man can inspect, and does inspect, fifty platform scales in an hour." The cry of "Question!" arose. The question was put, and the usual loud chorus of *ayes* followed.

As it requires a three-fourths vote to grant money, — i. e. eighteen members, — it is sometimes impossible for the Ring to get that number together. There is a mode of preventing the absence or the opposition of members from defeating favorite schemes. It is by way of "reconsideration." The time was, when a measure distinctly voted down by a lawful majority was dead; but by this expedient the voting down of a measure is only equivalent to its postponement to a more favorable occasion. The moment the chairman pronounces a resolution lost, the member who has it in charge moves a reconsideration; and, as a reconsideration requires only the vote of a majority, *this* is invariably carried. By a rule of the Board, a reconsideration

carries a measure over to a future meeting, — to any future meeting which may afford a prospect of its passage. The member who is engineering it watches his chance, labors with faltering members out of doors, and, as often as he thinks he can carry it, calls it up again, until at last the requisite eighteen are obtained. It has frequently happened that a member has kept a measure in a state of reconsideration for months at a time, waiting for the happy moment to arrive. There was a robust young Councilman who had a benevolent project in charge, of paying nine hundred dollars for a hackney-coach and two horses which a drunken driver drove over the dock into the river one cold night last winter. There was some disagreement in the Ring on this measure, and the robust youth was compelled to move for many reconsiderations. So, also, it was long before the wires could be all arranged to admit of the appointment of a "messenger" to the City Librarian, who has perhaps less to do than any man in New York who is paid eighteen hundred dollars a year; but perseverance meets its reward. We hear that this messenger is now smoking in the City Hall at a salary of fifteen hundred dollars.

There is a manœuvre also for preventing the attendance of obnoxious, obstructive members, like the honest six, which is ingenious and effective. A "special meeting" is called. The law declares that notice of a special meeting must be left at the residence *or* the place of business of every member. Mr. Roberts's residence and Mr. Roberts's place of business are eight miles apart, and he leaves his home for the day before nine in the morning. If Mr. Roberts's presence at a special meeting at 2 P. M. is desired, the notice is left at his shop in the morning. If it is not desired, the notice is sent to his house in Harlem, after he has left it. Mr. Pullman, cabinet-maker, leaves his shop at noon, goes home to dinner, and returns soon after one. If his presence at the special meeting at 2 P. M. is desired, the notice is left at his house the evening before, or at his shop in the morning. If his presence is not desired, the notice is left at his shop a few minutes after twelve, or at his house a few minutes past one. In either case, he receives the notice too late to reach the City Hall in time. We were present in the Councilmen's Chamber when Mr. Pullman stated this *incon-*

venience, assuming that it was accidental, and offered an amendment to the rule, requiring notice to be left five hours before the time named for the meeting. Mr. Roberts also gave his experience in the matter of notices, and both gentlemen spoke with perfect moderation and good temper. We wish we could convey to our readers an idea of the brutal insolence with which Mr. Pullman, on this occasion, was snubbed and defrauded by a young bar-keeper who chanced to be in the chair. But this would be impossible without relating the scene at very great length. The amendment proposed was voted down with that peculiar roar of *noes* which is always heard in that chamber when some honest man attempts to put an obstacle in the way of the free plunder of his fellow-citizens.

These half-fledged legislators are acquainted with the device known by the name of the "previous question." We witnessed a striking proof of this. One of the most audacious and insolent of the Ring introduced a resolution, vaguely worded, the object of which was to annul an old paving contract that would not pay at the present cost of labor and materials, and to authorize a new contract at higher rates. Before the clerk had finished reading the resolution, honest Stephen Roberts sprang to his feet, and, unrolling a remonstrance with several yards of signatures appended to it, stood, with his eye upon the chairman, ready to present it the moment the reading was concluded. This remonstrance, be it observed, was signed by a majority of the property-owners interested, — the men who would be assessed to pay for one half of the proposed pavement. Fancy the impetuous Roberts with the document held aloft, the yards of signatures streaming down to his feet and flowing far under his desk, awaiting the time when it would be in order for him to cry out, "Mr. President." The reading ceased. Two voices were heard, shouting, "Mr. President." It was not to Mr. Roberts that an impartial chairman could assign the floor. The member who introduced the resolution was the one who "caught the speaker's eye," and that member, forewarned of Mr. Roberts's intention, moved the previous question. It was in vain that Mr. Roberts shouted, "Mr. President." It was in vain that he fluttered and rattled his streaming ribbon of blotted paper. The President could not hear a word of any kind until

a vote had been taken upon the question whether the main question should be now put. That question was carried in the affirmative by a chorus of *ayes*, so exactly timed that it was like the voice of one man. Then the main question *was* put, and it was carried by another emphatic and simultaneous shout.

We have spoken of the headlong precipitation with which all business is done in this board. Measures involving an expenditure of millions, and designed to bind the city for a great number of years, are hurried through both boards in less time than *paterfamilias* expends in buying his Sunday dinner in the market; and, frequently, such measures are so mysteriously worded that no one outside of the Ring can understand their real object. We happened to be present when a resolution was brought directly from the Board of Aldermen (who had passed it without debate), directing the Street Commissioner to make a contract with the lowest bidder for lighting the whole island for twenty years with gas, — the price to be fixed *now*, when coal and labor are twice their usual price. No such simple words, however, as *twenty years* were to be found in the resolution; which merely said, that the contract should be for "the same number of years as the contract last made and executed with the Manhattan Gas Company." A member, bewildered by the furiously rapid reading of this long and vague resolution, timidly inquired how many years that was. No one seemed to know. After a pause, some one said that he believed it was ten years. Whereupon, Councilman White, a faithful and intelligent member of the honest minority, proposed that the term of the contract be two years, which Mr. Pullman supported. The amendment was instantly voted down, and the original resolution was carried by the usual eighteen votes. The Mayor promptly vetoed the scheme. The *Tribune* thundered against it; but the veto message had no sooner been read, than it was passed over the veto by the Aldermen; then taken to the Councilmen's Chamber, where the requisite eighteen votes were immediately cast for it. This resolution, as we were afterwards informed, was merely one of a long series of measures designed to tap the lamp-posts of the city, like so many sugar-maples, and make them run gold into the troughs of a few notorious politicians.

We are lingering too long in the Councilmen's Chamber, and must abruptly leave it. Nor can we remain more than a moment with the Aldermen. It is not necessary, for there is not a pin to choose between the two bodies. We observe in their chamber the same lavishness of furniture and decoration; pictures as numerous and as bad as those which hang in the chamber opposite; the same wild profusion of clerks, assistant-clerks, readers, engrossers, messengers, and assistant-messengers; the same crowd of unwashed and ugly spectators outside the railing. Except that the Aldermen are a little older and somewhat better dressed than the Councilmen, we could discern no difference between them. Whatever dubious scheme is hurried through one body is rushed through the other. Sometimes the Councilmen point the game, and the Aldermen bring it down; and sometimes it is the Aldermen that start up the covey, and the Councilmen that fire. As with the Councilmen, so with the Aldermen, there is a sure three-fourths vote for every scheme which has the sanction of the interior circle who control the entire politics of the city. And, as among the Councilmen, so among the Aldermen there are a few honest and public-spirited men who vainly protest against iniquity, or silently cast their votes against it. If one such body is one too many, how shall we express the enormous superfluity of two? It is impossible.

But there is a third legislative board sitting in the City Hall. The island upon which New York is built is a county, and that county has its board of twelve Supervisors, who have the spending of seventeen millions of dollars per annum. The city and the county cover the same territory. Each creature in the island of Manhattan lives both in the county and in the city of New York. The existence, therefore, of a separate legislature for each is a complete absurdity; and, if both were honest, there would be constant danger of clashing between them. They do not often clash, because both have in view the same object, and pursue that object under the direction of a central gang, — the masters of both. It is the Board of Supervisors who, being authorized, eight years ago, to build a court-house at an expense not to exceed two hundred and fifty thousand dollars, have expended upon it two millions and a half; and there it stands

to-day just half done. It is computed, by architects professionally employed, that for every dollar spent upon this unfinished edifice another dollar has gone elsewhere.

Our principal object in this article is not to present the reader with a startling catalogue of iniquities, but to endeavor to contribute our little towards discovering a mode of expelling the thieves, keeping them expelled, and getting a few honest men in the place of that great multitude of plunderers. Before entering upon that part of our subject, however, we must show to readers remote from the scene, that the corruption exists, that it taints nearly every branch of the public service, that it is an evil of gigantic and menacing proportions, and that the numerous expedients devised for holding it in check have failed. Hitherto we have related what we have ourselves seen and heard: we now proceed to glean a few of the more striking facts from our notes of what others have told us and from printed testimony.

The volume the title of which may be found at the head of this article, "The Manual of the Common Council," is itself a curious specimen of the artifices resorted to by these official plunderers of the public purse. In the year 1841, a zealous assistant clerk to the Common Council conceived the idea of publishing a little volume, which should be a kind of city almanac; containing, besides what an almanac usually presents, a list of all the persons connected with the city government, their places of business and residence, and a map of the city. A neat, small volume of 180 pages was the result of his labors. Even this was unnecessary, because the most useful part of the information which it gave respecting the members of the government had already appeared in the City Directory, and an almanac could be had of pill-venders for nothing. No good reason could be given why even so inexpensive a work as that should be paid for out of the public treasury. But see to what proportions this trifling imposition has since grown. The next year, our zealous assistant clerk added to his catalogue of city officials a list of all previous members of the Corporation, from the earliest period of the city's existence, and a picture of New York as it was two hundred years ago. This year the volume swelled from 180 to 253 pages. The picture was interesting, and

caused the work to be much spoken of and sought after, which was only another proof how unnecessary it was that it should be published at the expense of the city. The next issue, besides the list of names and residences, contained extensive extracts from ancient city records, which increased the number of pages to 312. Every year the Manual increased in bulk, in the quantity of superfluous matter, in the number and costliness of the pictures, until it has now become a manual of folly, extravagance, and dishonesty. Let us glance at the Manual for 1865; for, to add to the exquisiteness of the art employed in its preparation, the book is not published until the year is nearly expired, and a new set of officers are about to be chosen, so that the volume for 1866 had not appeared when these lines were written. The Manual for 1865 is a most superb and lavishly illustrated duodecimo volume of 879 pages. It contains one hundred and forty-one pictures, of all degrees of expensiveness, — steel-plate, woodcut, plain lithograph, and colored lithograph. The large colored map of the city, at the beginning, cost as much money as a map of that kind could any way be made to cost. Next comes a steel portrait of the person who, for twenty-five years, has hired people to compile the annual volume, and whose name has always appeared on the title-page as its editor, and who is supposed to be liberally remunerated for his editorial labors. Next appears a very elegant colored title-page, containing six finely executed pictures.

Before proceeding with the list, we remind the reader that the ingenuity of the compilers of this work has been severely taxed for many years to devise and discover subjects for illustration. Subjects that could be called legitimate, or that approached the legitimate, having been long ago exhausted, the editor this year appears to have been in the direst straits to supply his lithographers and engravers with the regular quantity of work.

Accordingly, the next illustration is a plan of the Aldermen's Chamber, designed to show where each member sat in 1865; and the next is a four-paged, folding lithograph, containing — O precious gift to posterity! — a fac-simile of each Alderman's

signature. In the next two plates posterity is blessed with the signatures of the Councilmen for 1865, and the means of ascertaining the precise arm-chair occupied by each. The following are the subjects of a few of the costly colored lithographs: — the "fur store" established in 1820 by the father of the Mayor of the city in 1865; the "old frame house" in which the editor of the Manual "passed his youth"; "Mr. Stewart's house in Fifty-fourth Street"; "a grocery and tea store" of the year 1826; the house in North Moore Street in which Speaker Colfax was born; "twin frame-houses in Lexington Avenue"; Tammany Hall in 1830; a billiard saloon in the Fifth Avenue; Harlem Lane, with fast horses travelling thereon; the "Audubon Estate" on the Hudson; the upper end of the Central Park drive. Besides these, there are pictures, not colored, of a prodigious number of public and private buildings, and portraits of undistinguished persons. The number of pages occupied by extracts from old records, newspapers, and memories is 423!

Such is the book which the tax-payers of the city are called upon every year to pay for, in order to swell the income of sundry printers, lithographers, politicians, and the compiler. But this is not all. The number of copies annually ordered to be printed is ten thousand! The number paid for is ten thousand. The number actually printed, we are positively assured by men who are in a position to know, is about three thousand. Of this number, about fifteen hundred are distributed gratis about the City Hall, and the rest are sold by, and for the benefit of, the compiler. A considerable number find their way into the second-hand bookstores which make Nassau Street so fascinating to poor students and rich collectors. We bought our copy there, and its price was three dollars. The bookseller informed us that he laid in his supply of the Manual for 1865 at two dollars per copy, which is three dollars and thirty-six cents less than a copy costs the city. Nor have we yet got to the bottom of this enormous "job." We have said that the city pays for ten thousand copies of the preposterous volume. It pays for nearly twice that number. The items of the Manual account rendered for 1865 were these: —

Bill of engraving	$4,353.10
Bill of engraving and printing	733.00
Bill of drawing and printing	5,150.00
Bill of lithographing and printing	3,185.00
Bill of printing 10,000 copies	27,951.20
Bill of corrections and alterations	300.00
Bill of paper for title-pages	600.00
Bill of thirty reams tissue paper	150.00
Bill of papering 10,000 copies	100.00
Bill of ten reams wrapping paper	150.00
Bill of binding 5,000 copies in cloth	5,000.00
Bill of binding 4,000 copies in muslin	4,000.00
Bill of binding 1,000 copies in morocco	2,000.00
Total	$53,672.30
D. T. Valentine, for compiling	3,500.00
Total	$57,172.30

This shameful account being brought to the notice of the present Mayor of the city, Mr. John T. Hoffman, he did himself the honor to veto the resolution authorizing a similar expenditure for 1866. He told the men who passed that resolution, that he had made inquiries of such publishing houses as the Appletons and the Harpers, and had ascertained that ten thousand copies of the work could be manufactured for $30,000, instead of $53,672; although a new publisher would not have the benefit of the large amount of stereotyped matter which appears in the Manual from year to year, with little alteration. The truth is, that the book actually costs the compiler about $15,000 per annum; and the difference between that sum and the amount charged is taken from the pockets of the New York tax-payers by a process which we leave our readers to characterize with the proper term.

The most usual manner of stealing is to receive money for awarding or procuring contracts, appointments, donations, or increase of salaries, which money, of course, the favored person gets back, if he can, from the public treasury; and he usually can. The President of the Board of Health, last spring, when New York was threatened with the cholera, had occasion to remonstrate with a person who held the contract for removing dead animals from the streets, and threatened him with the breaking of the contract if its conditions were

not better complied with. "That would be rather hard, Mr. Schultz," replied the man, "for that contract cost me $60,000." And well it might; for the city pays $25,000 a year for getting rid of a commodity every pound of which ought to yield the city a revenue. A dead horse, worth twenty dollars, the city pays for having carted off to where it can be conveniently converted into twenty dollars. Another contractor receives $21,000 a year for removing night-soil, which could be sold for enough to pay the cost of its removal. By various extra charges, the holders of this contract have continued to swell their gains incredibly. Mr. Jackson Schultz, the energetic and capable President of the Board of Health, has recently published his conviction, that the "total swindle under this contract is $111,000," and we have had the advantage of hearing him demonstrate the fact. The story, however, is too long for our very limited space.

Does any one need evidence that the men who award such contracts, in the teeth of opposition and elucidation, receive a large share of the plunder? The fact is as certain as though ten witnesses swore to having seen the money to them in hand paid. Three years ago a contract was awarded for sweeping the streets for ten years, at $495,000 a year. Since the accession to power of the new Board of Health, responsible men have handed in a written offer to buy the remainder of the contract for a quarter of a million dollars, i. e. to clean the city for seven years at $495,000 a year, and give the city a quarter of a million dollars for the privilege. There are those about the city offices who know, or think they know, how the plunder of this contract is divided. We believe we are not violating any confidence, expressed or implied, when we say, that it is the conviction of the Board of Health that $100,000 per annum of the proceeds of this contract are divided among certain politicians; that a certain lawyer, who engineered the project, and stands ready to defend it, receives a salary of $25,000 per annum as "counsel to the contract"; and that the men in whose name the contract is held are "dummies," who get $6,000 a year for the use of their names and for their labor in superintending the work. The contract is further burdened with the support of several hundred cripples, old men,

and idle men, all of whom are voters, who are put in the street-cleaning force by Aldermen and Councilmen who want their votes and the votes of their relatives, thus kindly relieved of maintaining aged grandfathers, lame uncles, and lazy good-for-nothings. These statements, we are aware, cannot be proved. Such compacts are not trusted to paper; and a witness driven to bay can always balk his assailant by refusing to criminate himself. The reader, therefore, may decline to believe these details. One thing remains, and is certain, that the working-men of New York are annually plundered of two hundred thousand dollars per annum by this single contract.

How the work so munificently paid for is *done* is sufficiently well known. Into that foul subject we cannot enter, except to notice the blind devotion of the great mass of poor men who annually vote to keep in power the people who steal their earnings and poison their children. New York boasts a *Democratic* majority of more than thirty thousand votes, and the government of the city is always in the hands of the party so named. Is it, then, the rich men's streets that are unswept, and the poor men's crowded avenues and lanes that are clean? Are the small parks and squares where thousands of poor children play better kept than those to which scores of rich men's children are carried? Is the Bowery cleaner than Broadway, and Tomkins Square more inviting than Union? In the spring, when the March thaw has unlocked the accumulated dirt of the winter, and the whole city is deep in mire, which are the streets that a Democratic contractor first throws himself upon? Does he first remove the festering mounds of pollution that block the poor man's path to his home, and make that home loathsome to him, and *then* betake himself to the coating of mud that soils the rich man's boots? Or does he leave reeking with abomination the crammed thoroughfares where Democratic voters live, half a hundred in a house, until every shovelful of dirt has been removed from the places where rich men reside, seven voters to a block? But why ask idle questions? It is the law of this world that the strong shall rule it. In a commercial city, the strong men are rich. Label your government what you will, it is the strong men in a community who have their way; and therefore, under all governments, the streets where rich men live are clean.

The plunder of the persons who are so unfortunate as to serve the public, and of those who aspire to serve the public, is systematic, and nearly universal. Our inquiries into this branch of the subject lead us to conclude that there are very few salaries paid from the city or county treasury which do not yield an annual percentage to some one of the "head-centres" of corruption. The manner in which this kind of spoliation is sometimes effected may be gathered from a narrative which we received from the lips of one of the few learned and estimable men whom the system of electing judges by the people has left upon the bench in the city of New York. Four years ago, when the inflation of the currency had so enhanced the price of all commodities that there was, of necessity, a general increase of salaries, public and private, there was talk of raising the salaries of the fourteen judges, who were most absurdly underpaid even when a dollar in paper and a dollar in gold were the same thing. Some of the judges were severely pinched in attempting to make six thousand half-dollars do the work which six thousand whole ones had accomplished with difficulty; and none, perhaps, more severely than the excellent and hospitable judge whose experience we are about to relate. A person known by him to be in the confidence of leading men about the City Hall called upon him one day, and informed him that it was in contemplation to raise the salaries of all the judges $2,000 per annum. The judge observed, that he was much relieved to hear it, for he had gone so deeply into the Sanitary Commission and other projects for promoting the war, and had made so many expensive journeys to Washington in furtherance of such projects, that he did not see how he could get through the year if the inflation continued. "Well, Judge," said the person, "if the judges are disposed to be reasonable, the thing can be done." "What do you mean by *reasonable?*" asked the judge. The reply was brief and to the point: "Twenty-five per cent of the increase for one year." The judge said no. If his salary could not be raised without that, he must rub on, as best he could, on his present income. The person was evidently much surprised, and said: "I am sorry you have such old-fashioned notions. Why, Judge, everybody does it here." Nothing more was heard of increasing the judges' salaries for

a whole year, during which the inflation itself had become inflated, and every door-keeper and copyist had had his stipend increased. At length, the spoilers deemed it best, for purposes of their own, to consent that the salaries of the judges should be increased $1,000; and, a year after that, the other $1,000 was permitted to be added.

It was recently proved, in the presence of the Governor of the State, that the appointment to the office of Corporation Attorney was sold to one incumbent for the round sum of $10,000. This is bad enough, but worse remains to be told. Sworn testimony (from thirty-six witnesses), taken by a committee of investigation, establishes the appalling fact, that appointments to places in the public schools are systematically sold in some of the wards, — the wards where the public schools are almost the sole civilizing power, and where it is of unspeakable importance that the schools should be in the hands of the best men and women. One young lady, who had just buried her father and had a helpless mother to support, applied for a situation as teacher, and was told, as usual, that she must pay for it. She replied that she could not raise the sum demanded, the funeral expenses having exhausted the family store. She was then informed that she could pay "the tax" in instalments. Another poor girl came on the witness-stand on crutches, and testified that she had paid $75 for a situation of $300 a year. Another lady went to a member of the Ring, and told him, with tears, that she saw no way of procuring the sum required, nor even of saving it from the slender salary of the place. The man was moved by her anguish, took compassion upon her, and said he would remit *his share* of "the tax." It was shown, too, that the agent of all this foul iniquity was no other than the principal of one of the schools. It was he who received and paid over the money wrung from the terror and necessities of underpaid and overworked teachers. We learn from the report of the committee that the Ring in this ward was originally formed for the express purpose of giving the situations in a new and handsome school "to the highest bidder"; and, as the opening of the new school involved the discharge of a small number of teachers employed in the old schools, the Ring had both the fear and the ambition of the

teachers to work upon. "There was a perfect reign of terror in the ward," says the report of the investigating committee. "The agent performed his duty with alacrity and with a heartlessness worthy of the employers. It appears that he not only summoned the teachers to come to him, but that he called on their parents and friends as to the amount they should pay for their appointments, — the sums varying from $50 to $600, according to the position sought."

And who were the Ring that perpetrated this infamy? They were a majority of the Trustees elected by the people, and the School Commissioner elected by the people, — six poor creatures, selected from the grog-shop and the wharf, and intrusted with the most sacred interest of a republic, the education of its children. It was known before that in some of the wards the school trustees were drunkards; it was known before that little children were piled up, like flower-pots in a greenhouse, in small, ill-ventilated rooms; but no one supposed, before this investigation in 1864, that men could be elected to office who were capable of such revolting meanness as this.

When appointments are sold, appointments are likely to be numerous. Some of our readers, doubtless, have smiled at the ridiculous catalogue of offices created to relieve the pecuniary straits of Louis XIV., and given by Voltaire in his history of the reign of that expensive monarch. In Paris, in the year 1710, men holding the rank of counsellors of the king held such posts as hog-inspectors, inspectors of calves, of wigs, and of slaughter-houses, inventory-drawers, measurers of fire-wood, deputy measurers of fire-wood, pilers of fire-wood, unloaders of fire-wood, comptrollers of timber, markers of timber, charcoal-measurers, grain-sifters, comptrollers of poultry, barrel-gaugers, barrel-rollers, butter-testers, beer-testers, brandy-testers, linen-measurers, unloaders of hay, and removers of boarding. Not that counsellors to the king performed any of these labors. That was done by underlings; the counsellors to the king merely pocketing the greater part of the fees. But how mild and trivial was their abuse of kingly power, compared with the hordes of superfluous officers that swarm in the public buildings of the city of New York! In the office of the City Comptroller there are one hundred and thirty-one clerks. The Street Com-

missioner employs sixty. In the precious Manual described above, the reader, amazed at the interminable lists of persons employed by the city, is every now and then puzzled by such items as these: twelve "manure-inspectors," at $3 a day each; twenty-two "health-wardens," twenty-two "assistant health-wardens," twenty-two street-inspectors," all at $3 a day each; seven "assistant inspectors of meat," at $900 per annum each; seven "inspectors of encumbrances," at $1,250 each; twenty-two "distributors of corporation ordinances," at $2 each per day. We have not space to continue the catalogue. Who has ever seen any of these wardens and inspectors? A gentleman connected with the Citizens' Association, last year, had the public spirit to sally forth, Manual in hand, in quest of the twenty-two health-wardens and twenty-two assistants; for neither he nor the writer of these lines, nor any of their acquaintances, had ever so much as heard of the existence of such officers. Long and painful was the search. He found that those guardians of the public health were bar-keepers, low ward politicians, nameless hangers-on of saloons, who absolutely performed no official duty whatever except to draw the salary attached to their places. They were the merest creatures of the worthless man who appointed them, — the man who sold or gave away *blank interment-permits, signed,* to favored undertakers, "to save them the trouble of coming down town every time they had a funeral." * For the benefit of those gentlemen of leisure in New York, who excuse their want of public spirit by saying that the city government is so corrupt that it is of "no use to try" to reform it, we will mention that, very much through the exertions of the warden hunter referred to above, those three twenty-two's were abolished a few months ago, as well as the entire department to which they belonged. To that single item of reform we owe it that the city was not desolated by the cholera during the past summer.

The reader has, perhaps, heard something lately respecting the cost of "opening" new streets in the city of New York. Under cover of those innocent-looking words, incredible sums

* This was the reason given by the undertakers when they were questioned on the subject by members of the new Board of Health. The possession of blank permits did not, however, prevent them for charging for the permits in their bills.

of money are stolen from the owners of real estate. In the year 1811, the entire island, except a small strip at its northern extremity, was surveyed; the sites of all the future streets and avenues were settled, marked with stone pillars, and laid down on maps; so that, ever since that time, all land has been bought, sold, held, and improved with reference to the streets that were one day to run through it, by it, or near it. The work was so well done, that those maps, and no others, are still used by assessors of taxes, and for all other official purposes. Copies of them are to be found for reference in one of the rooms of the building whereto all the world repairs every November to be taxed. Bearing these facts in mind, the reader will easily comprehend the audacity of the theft to which his attention is now directed.

A new street is ordered to be "opened," and the judges of the Supreme Court appoint three commissioners to perform the work, at four dollars per day each. To "open" a street, in the legal sense, is not to go to work with shovel and pickaxe and convert a strip of meadow into a street, but merely to buy the strip from the owners, transfer the title to the Corporation, and then formally declare the street "opened." Since the surveys are already done, and the maps already made, and since the expense of the whole transaction is borne by the owners of land upon the street, who bought that land *because* the street would one day exist, this legal opening is the merest form. The commissioners buy the land required at the rate of one dollar for each lot taken, which is one among many proofs of the pure formality of the business. We will now state, first, what the three commissioners actually do who are so lucky as to have a street to open; and then we will show what is charged for the arduous work.

They meet in a room in the third story of a building in Nassau Street, which is from five to eight miles from the street about to be opened. They hire the room for the meetings of the commissioners. True, it is already occupied, and no change in it is made by the occupant; but they hire it, nevertheless. They appoint a surveyor, a clerk, an assistant clerk, and sometimes, we believe, a messenger. These appointments cost them three minutes of their valuable time; for there are people who

have acquired, in some way, a claim to those appointments, and are appointed as a matter of course. There is not, there cannot be, a doubt that the "understanding" between the judges, the commissioners, the surveyors, and the clerks is complete before the first step is taken. The clerk is the ruling mind of the affair. It is he who lets the room; it is he who draws up the final report; it is he who divides the spoil, and takes, probably, the largest single share. He conceives, arranges, starts, and conducts the operation, and he does it at his ease in his own hired room. The officers being appointed, the commissioners have earned their four dollars each, and adjourn.

Every day, between the hours of twelve and two, they visit the apartment, inquire after the health of their clerk, perhaps take a cigar with him, see that their names are entered as having attended, which entitles them to four dollars, and then return, refreshed, to their private business. Meanwhile, sundry advertisements are published, announcing to parties interested what is going on. The surveyor may or may not take a car and ride up to the street, or walk over the part to be opened. Perhaps there is a house, built before 1811, which extends over the line of the street; and if so, the owner is entitled to compensation. Usually, however, there is nothing of the kind; and usually the surveyor, an old hand at the business, knows whether there is or not without going up to see. A draughtsman, meanwhile, has been copying a map of the street from the maps of 1811; and the clerk writes along the border of it (from the tax-books) the names of the owners of the lots on each side of the street. Sundry other advertisements are then published, calling upon parties interested to come and see what has been done, and state objections, if any there are. The clerk then draws up a report, and the thing is done. None of these operations are hurried. Care is taken of the interests of the commissioners. It is not until they have paid their noontide respects to the clerk for a prodigious number of days that the street is pronounced "open."

Then the bill is presented. The surveyor charges as though he had made original surveys and drawn original maps. The clerk charges as though his report were the result of original searches and researches. The commissioners charge as though

the opening had been the tardy fruit of actual negotiations. The rent of the room is charged as though it had been occupied wholly by the commissioners. And all of these charges are the very highest which any one, in his most lavish mood, could even think of in connection with the work supposed to be done. When we add, that half a dozen of these openings are frequently going on at the same time, in the same snug upper room, and conducted by the same individuals, the reader will not be surprised to learn that the net result of the business to the master spirit, for the year ending June, 1866, was $ 25,466, of which sum $ 4,433 was charged for the rent of the room, which he hires for about $ 300 per annum, and $ 950 was charged for "disbursements and postage-stamps." One surveyor's bill for the same year was $ 54,000. It has been ascertained, after a laborious examination of the public records, that the total cost of "opening" twenty-five streets, or parts of streets, averaging less than half a mile each in length, was $ 257,192.12. The public is indebted for this information to Mr. William H. Whitbeck, president of an association of property-owners recently formed to protect themselves against further spoliation of the same nature.

The Executive Council of the Citizens' Association has recently given publicity to a large number of facts relating to the same iniquity. We will select one of them: —

"In opening 124th Street, the Commissioners awarded to the owner of a house standing in the northwest angle of 124th Street and Second Avenue some $ 4,500 for the damage to his building by the opening of the street. If this house had stood in the middle of the street, and had been entirely destroyed by the opening, he should not have received one cent, inasmuch as the house was built subsequent to 1811, when the map of the city was planned. The fact is, that, in 1811, a monument was planted at the intersection of 124th Street and Second Avenue, and the person who built the house built it in the angle of the street, and facing the country road. The owner knew well where the street was to be, and *so avoided building upon it.* As the house was built facing the angle, the two ends of its rectangular piazza extended about six feet over the line, the one end over the line of Second Avenue, and the other end over the line of 124th Street. Now, if the owner built his house encroaching upon the street, he should not have been paid for the damage caused by his own negligence. It appears,

however, that the piazza has been rounded so as not to extend over the line, and for this rounding of the piazza, which could have been done at an expense of certainly not more than $1,000, the owner has been allowed the enormous sum of $4,500. The house stands there as good as it ever was. Need we say that the owner is a prominent politician?"

We have since conversed with the gentleman who was charged with the investigation of this case. He assures us that the rounding of the piazza cost, in reality, about $250; and that he placed it at $1,000 in his report, because, being ignorant of carpentry, he deemed it best to mention a sum much in excess of the probable cost.

Our lessening space warns us to forbear, though we have scarcely made an impression upon the mass of facts before us. We cannot dwell upon the favoritism practised toward the real constituents of the spoilers, — the liquor-dealers, — who actually paid a less sum per annum for licenses, and contributed a smaller amount to the Inebriate Asylum, than the liquor-dealers of Albany. We must pass by such enormous frauds as that known by the name of the Gansevoort swindle, in the course of which a tract of land was bought from the city at half its value, kept in costly litigation for several years, then bought back by the city for twice its value, and all the taxes remitted for the intervening period. Nor can we give details of the manner in which mean men steal from the price of the school-children's copy-books and slate-pencils, nor open up the enormous and complicated cheat which is covered by the word "stationery." How the hard-earned claims of poor laborers are "shaved," under pretence that there is no money to pay them in the treasury; by what means a clerk of a market enjoys an income as large as that of the President of the United States; how the funerals of eminent men, the celebration of national festivals, and the return of scarred veterans from the seat of war have been made the occasion, first, of drunken revelry, and afterwards of wholesale plunder; how the delicate wines provided for the sick in the public institutions are poured down the filthy gullets of many whose natural drink is distilled molasses; how the most valuable ferry leases, wharf privileges, and railroad charters are given away or sold

for a tenth of their value to "dummies," who represent the very men who grant them; how many men hold two or more offices at once; and fifty other scandals into which we have looked, — we must pass by with this brief indication of their nature. It would be amusing to show the process by which (until honest Christopher Pullman stopped it last spring) the city was made to pay $87 every time the corporation granted permission to an old woman to keep a peanut-stand on a corner, for which she paid one dollar. As a portion of the "proceedings" of the two boards, the "resolution" had to be published in seventeen newspapers, and paid for in each, which cost the sum just mentioned. The same worthy gentleman has proved, by personal inquiry, that every rocket or firework discharged on the Fourth of July by order of the Corporation costs the city exactly twice as much as a private citizen pays for the same articles.

The result of all this plunder is, that in thirty-six years the rate of taxation in the city and county of New York has increased from two dollars and a half to forty dollars per inhabitant! In 1830, the city was governed for half a million dollars. In 1865, the entire government of the island including assessments on private property for public improvements, cost more than forty millions of dollars. In 1830, the population of the city was a little more than two hundred thousand. It is now about one million. Thus, while the population of the county is five times greater than it was in 1830, the cost of governing it is sixteen times greater. And yet such is the value of the productive property owned by the city, — so numerous are the sources of revenue from that property, — that able men of business are of the deliberate opinion that a private company could govern, clean, sprinkle, and teach the city by contract, taking as compensation only the fair revenue to be derived from its property. Take one item as an illustration: under the old excise system, the liquor licenses yielded twelve thousand dollars per annum; under the new, they yield one million and a quarter. Take another: the Corporation own more than twenty miles of wharves and water-front, the revenue from which does not keep the wharves in repair; under a proper system, they would yield a million dollars above the cost of repairs.

We trust no reader of this periodical — not one — needs to be reminded that the money stolen by the thieves into whose hands the city has fallen is the smallest item of the mighty sum of evil resulting from the system. A person, however, must intimately know New York to realize what a welling fount of moral pollution it is. Those within the circle of corruption, and all with whom they continue to have dealings, lose at length all sense of honor and shame, all power to distinguish between right and wrong, and, finally, all knowledge that there *is* any difference between them. It is a most insidious thing. Many a good young man has been drawn into the system so insensibly, that he has become an habitual stealer of the public money, almost without knowing it. Others are conscious thieves, but not yet hardened beyond remorse. Some of these are, as it were, imprisoned in the system, and know not how to escape. A very large number are morally nonexistent, and have no other thought or occupation except to devise and execute schemes of spoliation. And we do believe that *no* man who serves, sells to, or buys from the city, and no man who tries to serve, sell to, or buy from the city, does entirely escape contamination. What a tale we could tell of one notorious, but not naturally bad man, who, from a respectable though humble employment on the wharves, was lured into the low politics of his ward, and drank himself into such favor that he obtained, at length, the means of buying the privilege to steal as head of one of the departments, — and now, his place being abolished, and all his ill-gotten gains squandered in vice and ambitious schemes, slinks out of view, fatally diseased, and bereft of hope! But this part of our subject we leave to our readers' own reflections, and we rejoice to know that it will fare better there than it could in these pages; for, truly, the moral harm which this system is now doing in New York, and to the country through New York, is something which baffles and eludes written language.

The question now occurs, How was it that a city containing so many public-spirited and honorable men fell into the control of a gang of thieves?

It has all come about in one generation. Within the memory of men still living, the affairs both of the city and the State

of New York were so well managed, that other States and cities were glad to copy their methods of doing public business. The time was when men, after a brilliant career in Congress, regarded it as promotion to be Mayor of the city; when a seat in the city legislature was the coveted reward of a lifetime of honest dealing in private business; when a seat in the State Legislature was the usual first step to the highest places in the national government; when the very ward committees were composed of eminent merchants and lawyers; and when even to serve as secretary to a ward committee was a feather in the cap of a bank-teller or head book-keeper in a great house of business. In other words, the time was when the city was governed by its natural chiefs, — the men who had a divine right to govern it. Nay, more: it was once a distinction to be a voter, — since none could vote who were not householders. None could vote who had not given their fellow-citizens *some* evidence of an ability to vote understandingly, and *some* indication of a disposition to vote correctly. The particular test selected we do not admire; and all we can say in favor of it is that it was better than none. It did exclude the great mass of ignorance and vice; it did admit the great mass of intelligence and virtue; it did answer the purpose in a respectable degree.

This system was changed by the Constitutional Convention of 1821, which abolished the household restriction, and admitted to the polls all citizens, native and foreign, except convicted criminals and madmen. Among those who opposed this fatal change was Martin Van Buren; and all the dire consequences of it which he predicted have come upon the city. He said it would utterly corrupt the politics of New York, by giving it over into the hands of ten thousand ignorant or vicious men, whose votes could not be overcome. It would "drive from the polls all sober-minded people," from mere despair of effecting any good by voting. It would take away one powerful motive to virtue by abolishing the distinction between voters and non-voters. To be a voter, said Mr. Van Buren, is now "the proudest and most invaluable attribute of freemen." It was one of the rewards of industry and self-control. A proud day it was to a young mechanic, when he

left his new home and his newly married wife, and walked, for the first time, to the polls to deposit his vote. It stamped him a respectable man. He was thenceforth a full-fledged citizen, one of the masters of the city, the rulers of which were his servants; and they knew it, and treated him accordingly. Mr. Van Buren's remonstrances were not heeded, and the old system was abolished.

The evil consequences did not immediately appear, because the habit of selecting respectable men for the public service survived the system which had created that habit. The reign of Andrew Jackson, which debauched the national government, developed rapidly all the tendencies to corruption latent in the government of the city. A lower grade of men were elected to office, and a grade still lower worked the machinery by which they were elected. Still, there was no *system* of stealing. A defalcation occasionally occurred; aldermen sometimes pocketed bundles of cigars from the "tea-room"; others contrived to convey their families to evening parties at the expense of the city; others may sometimes have cribbed an odd half-ream of paper or a box of pens; and, doubtless, there was some jobbery, and much favoritism, as there is in all governments. Honesty, however, continued to be the rule in the public service. We mean, that, although the politics of the city were debased, and the men elected were always depreciating, there was no thought among them of using their places as conveniences for plundering their constituents. As late even as 1850 an alderman or chief of a department would have actually lost standing with his fellows if suspected of taking a bribe or of having a concealed interest in a contract. Yes, even in 1850, but sixteen years ago, it was a disgrace to steal the people's money on any pretext. If any one had then foretold that the time was at hand when the only men in the city government despised and snubbed by their equals would be the few who did *not* steal, no man could have believed the wild prediction.

About the year 1850, when it began to be perceived that omnibuses could no longer convey the morning and evening multitudes of people, and when street railroads in many avenues were projected, the Corporation conceived the fancy that

they had the right to grant the privilege of laying rails in the public streets to private companies. In fact, it was taken for granted on all hands that this was their right; and it was in connection with those railroad grants that the corruption, on a great scale, began. It was then that the low, immature, ignorant, unprincipled, irresponsible, untaxed persons who formed the majority of the city legislature discovered that an alderman could, by a judicious use of his opportunities, not merely get a good deal of money, but make his fortune, during a single term of service. "Rings" were then first formed; "agents" were then first employed, — the mysterious go-betweens who have to be "seen" before anything can be done. The necessity for this machinery was soon perceived; for, at first, some sad mistakes occurred, which threatened for a time to spoil the game. One company, for example, distributed forty thousand dollars among the Aldermen, but were outbid, and the grant was given to another company. Naturally enough, they demanded their money back; but many of the poor creatures had already squandered their shares, and were totally unable to refund. One of the defrauded men, as it chanced, was a member of the grand jury, and he announced his determination to bring the matter before that body. Means were found to satisfy his claim; about one half the whole sum was given up, and the rest was paid in promises that have never been fulfilled. New-Yorkers remember the ancient, familiar firm of Kipp and Brown, formerly blazoned on the gorgeous sides of countless omnibuses. Mr. Solomon Kipp, the head of that firm, used to say that he personally expended fifty thousand dollars in "getting through" the two comparatively unimportant railroad grants in which he was interested. We have the affidavits of other parties before us, which justify the conclusion that, from this single source, the Corporation corruptly gained a round million in about ten years.

Thus the system of spoliation began. Thus was the cupidity of the politicians inflamed. From that time to this, the ordinary New York politician has regarded public office in no other light than as a chance to steal without the risk of the penitentiary. It is not that the city government, so far as

controlled by politicians, sometimes steals. We do not make that charge. We say it does nothing *but* steal; for even the most useful or necessary public work is sanctioned by it only so far as it affords promise of gain to politicians.

At the present time, as we are informed by one whose opportunities of knowledge are unequalled, all the political concerns of the city are controlled by about seven men, — heads of city departments and others. In most of the wards, a nomination to office by the party which is ludicrously styled Democratic insures an election by the people; and it is these seven men who work the machinery by which Democratic nominations are ground out. They are the power behind the ballot-box, greater than the ballot-box itself. Candidates for Congress, for the State Legislature, for the numerous boards of city legislators, must pass the ordeal of their inspection, and pay their price, before their names can go upon the "slate"; and such is the absoluteness of their power over ignorant voters, that they have caused to be elected to Congress by Irish votes a man who, as editor of a "Know-Nothing" newspaper, had been employed for seven years in vilifying Irishmen and their religion. They have taken up a man who commanded one of the companies of artillery that marched from the field of Bull Run because their "time was up," and, while the whole civilized world was pointing at him the finger of scorn, elected him to one of the most lucrative offices in the United States. Of late years, these lords of the town have had the deep cunning to give a few of their best appointments and several minor offices to Republicans, as part of their system of preventing investigation. This was a master stroke. Most of the publishers of newspapers were already bribed to silence by the Corporation advertising, and all the reporters were hired not to report anything disagreeable by the annual gift of two hundred dollars. This letting in of a few Republicans to share the spoils completed the system of repressing inquiry. They have known, too, how to turn to account the feud between two Republican leaders, which, after distracting the politics of the State of New York for many years, has transferred the battle-ground to Washington, and now threatens to snatch from the nation the fruits of

its victory over rebellion, or at least to postpone its enjoyment of them.

Such are some of the consequences that have resulted from admitting to the polls unqualified and untaxed men, in a city which catches and retains the worst of the foreign emigration, and where there are seven foreign-born voters to every five native. In New York, we actually see the state of things contemplated by Daniel Webster in his Pittsburg speech, when he asked, "Who would be safe in any community where political power is in the hands of the many, and property in the hands of the few?" Such an unnatural state of things, he added, could nowhere long exist. Political power in the city of New York is in the hands of seventy-seven thousand foreign voters and fifty-two thousand native voters; while the great bulk of the property of the city is owned by about fifteen thousand persons. Political power in New York simply means the power to steal with impunity the property of those fifteen thousand persons. This stealing does not take the form of open and indiscriminate spoliation, because it can be more conveniently done, and longer done, through the machinery of politics.

Having now stated as fully as our limits permit the condition of the government of the city, it remains for us to do what little we can towards pointing out the remedy. In considering this part of our subject, modesty and hesitation would become the wisest and ablest of men. It is no time to dogmatize and declaim, when the dearest interests of civilization are to be rescued from imminent and deadly peril. Next year, we trust, there will be a convention assembled to revise the Constitution of the State of New York, and upon the action of that body we hang all our hope of speedy and radical reform. If any one, therefore, has so much as a single well-weighed suggestion to offer toward a practicable plan, now is the time for him to offer it. On this great and most difficult problem every person in the State of New York who is so happy as to have a thinking head upon his shoulders should now habitually meditate and converse.

Patchwork will not answer. That has been tried, and found insufficient. While the ship is still on the ocean, it is well to stop the leak with anything that will even slightly diminish the

risk of death. But the thing now in order is to go into dock, and overhaul the hull from keel to taffrail, or perhaps to abandon the vessel and build a new one. It is so exceedingly important for us all to understand this, that we will pause here a moment to mention a few of the expedients for checking thievery which have signally failed. *All* mere expedients have failed, or are failing. Nothing will ever stop it but some system, the natural working of which will put into office a controlling number of honest men.

The total failure of the contract system is a case in point. To check jobbery and favoritism, it was enacted several years ago that all work done for the city, and all commodities supplied to the city, greater in value than $600, should be the subject of contracts, to be awarded after due notice to the lowest bidder. The contract system, so far from putting an obstacle in the way of corruption, has furnished facilities for it. We have the sworn testimony before us, that it is common for fictitious bids to be sent in, for genuine ones to be bought off, and for parties who are best prepared to do the work required to be kept in ignorance of the proposals. Large iron contracts, for example, have been awarded before any one of the great iron firms have been aware that such contracts were in the market; and they have been awarded to men who never melted a pound of iron nor had any means whatever of doing the work. To a pork-butcher was assigned the contract for building a very costly bridge over a wide river; and the difficult work of grading an avenue, hilly and rocky, has been awarded to a politician ignorant of the most rudimental engineering. We have before us a successful bid for supplying the city offices with stationery, in which we find the bidder offering to supply "blue folio post" at *one cent* per ream; "magnum bonum pens," at one cent per gross; "lead pencils," at one cent per dozen; "English sealing-wax," at one cent per pound; and eighty-three other articles of stationery, at the uniform price of one cent for the usual parcel. This was the "lowest bid," and it was, of course, the one accepted. It appeared, however, when the bill was presented for payment, that the particular kind of paper styled "blue folio post" had never been called for, nor any considerable quantity of the other

articles proposed to be supplied for one cent. No one, strange to say, had ever wanted "magnum bonum" pens at one cent a gross, but in all the offices the cry had been for "Perry's extra fine," at three dollars. Scarcely any one had used "envelopes letter-size" at one cent per hundred, but there had been countless calls for "envelopes note-size" at one cent each. Between the paper called "blue folio post," at one cent per ream, and the paper called "foolscap extra ruled," at five dollars and a half, the difference was too slight to be perceived; but every one had used the foolscap. Of what avail are contracts, when the officials who award them, and the other officials who pay the bill, are in league with the contractor to steal the public money?

To prevent one of the most common kinds of theft, it was enacted that every person who presented a bill to the city should take an oath before receiving his money, that he had not paid, and would not pay, any part of it to any one for getting him the work. This law is shamelessly evaded every day. A school commissioner orders work of a printer, telling him to be sure to charge a good round price. The work is done, the bill presented, the oath taken, the money paid. A few days after, that commissioner or his friend has some printing of his own to be done, which the printer does, and sends with the work a receipted bill. We can produce a printer who has upon his books $10,000 worth of work done *gratis*, in recompense for services rendered in procuring him city jobs. When the procurer of the work has no occasion for printing, it is usual for him to *borrow* sums of money of the printer, which, like Dr. Johnson's sixpence, are "*not* to be repaid." Many of these petty politicians are, in fact, universal "dead-heads," and prey on all the town. One remark which we chanced to hear from one of them was exceedingly suggestive. "Pullman," said a young Councilman to our honest friend Christopher, "what did you want that Harlem Railroad grant rescinded for?" He alluded to the grant of the privilege to lay rails and run cattle trains through the handsomest street in the upper part of the island, in the teeth of the most vehement opposition on the part of the residents. "For my part," continued the virtuous youth, "there is no company I would sooner give my vote to than the

Harlem. If I ask 'em to take on a hand or give a place to a friend, they 're sure to do it. There 's not a more obliging company in New York than the Harlem." The Harlem Railroad Company, reader, is Mr. Cornelius Vanderbilt, one of the ablest men of business now living. The Councilman whose words we have quoted would not be employed by him in any post requiring average skill and honesty. And yet, behold the great, strong man courting the favor of the weak, little one! Do we blame either of these men? We arraign only the system which puts them in false and corrupting relations with each other and with their fellow-citizens.

It was lately enacted, that a three-fourths vote of both boards — the Aldermen and Councilmen — should be requisite to pass any bill granting or paying money. This was done because there was always a Democratic majority in both boards, and that majority was always corrupt. But it did not even retard the profuse voting of money. It merely required the Ring to buy up or bully a few more members, which was done in a week, and the work went on as bravely as before. The present board of Councilmen began their term of service with thirteen Republicans and twelve Democrats, owing to special exertions on the part of reformers. Those thirteen Republicans were elected, at great expense, for the sole purpose of outvoting the thieves, and they were all solemnly pledged so to do. But the system repels men of strong and tried honesty, and consequently seven of the thirteen speedily fell into the toils. Some were purchased, others were intimidated, others were persuaded, but all yielded alike to the behests of the Ring. And, really, we cannot wonder at it. The six faithful members of the board are useless to their constituents. The most just, the most necessary measure proposed by *them*, is voted down as a matter of course. A young, inexperienced Councilman sees, on the one hand, the favor of his colleagues, the smiles of the City Hall, the freedom of the city's stores and shops, places for his friends, and $7,000 a year; and, on the other, the frowns and surly opposition of his colleagues to everything he asks or proposes, a warfare against nefarious schemes which he knows to be useless, and which the public neither applaud nor hear of. For *his* brother, no easy clerkship is created; for *his* second-cousin's benefit, no

great man discovers that he is in need of a fourth assistant messenger; and if a carman in *his* ward loses a horse through a hole in a wharf, and justly calls upon the neglectful city government to buy him another, it is enough for him to introduce the bill for it to be voted down. Can we wonder that so many immature persons yield to a temptation so insidious, and which addresses itself to so many of the weak places in human nature at once?

Another well-meant expedient has completely failed. Owing to the lavish expenditures, it invariably happens that many of the sums appropriated for specific objects are exhausted long before the end of the year. For example, in 1865, the comptroller estimated the cost of printing and stationery at $145,000, and the Legislature of the State granted $160,000. But the amount expended in that year was $310,324. This excess would have presented difficulties to ordinary financiers, but none to those who control the finances of New York. Formerly, the deficit was supplied by "transferring" the money appropriated to other objects. "Transfer the wise it call." But this device having been forbidden by legislative enactment, parties interested sued the city for the amount of their claims; and, having obtained judgment against the unfortunate city, went through the form of seizing the portraits and furniture of the Governor's room in the City Hall. Then a judicial decision was obtained, which declared that judgments against the city "must be paid"; and, sheltered by this decision, the city treasurer paid them. In the year 1864, the amount of the judgments paid from the public treasury was $1,262,398. Last winter, a new expedient was devised to prevent this impudent evasion of a most proper and necessary law. It was enacted that no amount in excess of a specific appropriation should be recoverable by judgment. By what audacious trick this enactment will be set at naught has not yet appeared; but that it *will* be set at naught we have little doubt. If it is not, it will be only owing to the vigilance and tact of the public-spirited lawyers who are lending the aid of their talents to the Citizens' Association.

As these minor expedients have failed of their object, so, we believe, the grand expedient of all — the transfer of the control

of the city government to the State Legislature — is not to be relied on for the future. That expedient, false in principle, was justified only by the urgent necessity of the case. To that temporary transfer of power from a completely corrupt to an incompletely corrupt organization, we owe it that the city of New York is still, in some degree, inhabitable. For ten years past, nothing has stood between the city and universal spoliation, except the Governor of the State and a small number of intelligent, incorruptible members of the Legislature. To them we owe the rescue of the police from the control of city politicians; and to the police, thus rendered efficient, we owe the deliverance of the city from rapine during the riots of 1863. For twenty-four hours, until adequate assistance arrived, they kept the mob in check by their discipline, courage, and rapidity. No one can tell what would have occurred, or what would not, if we had then had for policemen creatures appointed to serve the mean purposes of the mean men whose character we have been exhibiting, and who were in the fullest sympathy with brother savages torturing our prisoners captured in war. To the Legislature, also, we are indebted for a tolerable administration of the affairs of the Central Park, of the Health Board, and of some other departments now controlled by honest men appointed at Albany.

On the other hand, the interference of the Legislature has, at length, reduced the city government to a condition of political chaos. The Mayor has been deprived of all controlling power. The Board of Aldermen, seventeen in number, the Board of twenty-four Councilmen, the twelve Supervisors, the twenty-one members of the Board of Education, are so many independent legislative bodies, elected by the people. The police are governed by four Commissioners, appointed by the Governor for eight years. The charitable and reformatory institutions of the city are in charge of four Commissioners whom the City Comptroller appoints for five years. The Commissioners of the Central Park, eight in number, are appointed by the Governor for five years. Four Commissioners, appointed by the Governor for eight years, manage the Fire Department. There are also five Commissioners of Pilots, two appointed by the Board of Underwriters and three by the Chamber of Com-

merce. The finances of the city are in charge of the Comptroller, whom the *people* elect for four years. The street department has at its head one Commissioner, who is appointed by the Mayor for four years. Three Commissioners, appointed by the Mayor, manage the Croton Aqueduct department. The law officer of the city, called the Corporation Counsel, is elected by the *people* for three years! Six Commissioners, appointed by the Governor for six years, attend to the emigration from foreign countries. To these has been recently added a Board of Health, the members of which are appointed by the Governor. Was there ever such a hodge-podge of a government before in the world? And nowhere is there any adequate provision for holding these several powers to their responsibility. Consequently, although the system of plunder has now been in operation for sixteen years, during which the public thieves have stolen not less than fifty millions of dollars, not one man of them has ever been punished, nor even made to disgorge.

There is a still more terrible objection to governing the city of New York at a city one hundred and sixty miles distant from it. The Legislature itself is corrupt. The same seven men who control the politics of the city nominate the city members of the Legislature; and these, reinforced by corrupt men from other cities, control one branch of the Legislature and are powerful in the other. Sometimes the city leaders cause themselves to be elected to the Legislature; but usually they select, from the clerks in the public offices, their own creatures,— mindless, dependent men, whose only virtue is a cur-like fidelity to their masters. No language can overstate the hopeless incapacity of these men for the business of legislation. They can only vote as they are ordered; and if you wish to buy their votes, you must arrange the price, not with them, but their owners in New York. To elect such men to the Legislature is only to transfer power from the Legislature to the lobby. There at Albany we see, within the rails of the Assembly, a crowd of poor, ignorant, irresponsible clerks; and in the lobby we find men representing Cornelius Vanderbilt, the Central Railroad, the Erie Railroad, the Astor estate, and many other men and companies controlling vast resources and carry-

ing great prestige. Moreover, the agents representing these strong men and powerful organizations are persons of skill and audacity. When such a reversal of the natural order of things exists, and when the members of the Legislature are paid by the State a less sum per diem than their board costs, — to say nothing of drink and billiards, — what *must* be the result? We need not say.

A very able lobby agent, who has been in the business many years, has given us an inkling of the mode of procedure. "When we get to Albany," said he, "we make out our lists, and, after studying them and comparing notes, we *classify* members, and make an estimate of what it is going to cost to get our bills through. We find out about how much each man expects, and who is running him. Then we arrange the thing in New York with certain people, whose consent is necessary. The price for a vote ranges from fifty dollars to five hundred, unless it is that of the chairman of a committee. *He* wants more, because he has to appear on the record as originating the measure."

It was probably one of these originating gentlemen who could explain the testimony given recently in an Albany corruption case by a lady who proved herself a true helpmeet to her husband. She testified that a lobby agent called at her house one Sunday afternoon, when there was "some conversation" respecting the accused Senator, which the court "ruled out." She continued thus: "The next morning I put $2,500 in greenbacks into a yellow envelope, and gave it to my only son, eleven years old. The boy got into the wagon with his father. *I never saw the money again.*"

If there is in this world a man who can be truly said to *know* anything, Mr. Thurlow Weed knows the Legislature of the State of New York. His testimony respecting the corruption in that Legislature, as given in the "Daily Times," a few months ago, is as follows: —

"Formerly the *suspicion* of corruption in a member would have put him 'into Coventry,' while *knowledge* of such an offence would have insured the expulsion of the offender. Now 'bribery and corruption' prevail to an extent greater than existed in the worst days of the Parliament of England, where, happily for England, the practice has been

reformed, as it must be here, or corruption will undermine the government. No measure, however meritorious, escapes the attention of 'strikers.' Venal members openly solicit appointment on paying committees. In the better days of legislation, when no unlawful motive existed, it was considered *indelicate* in a member to indicate to the Speaker any preference about committees. The evil has been growing, each year being worse than the preceding, until reform is sternly demanded. Could the secret history of the present Legislature be exposed to the public gaze, popular indignation would be awakened to a degree heretofore unknown. In the Assembly everything was struck at. Not even a religious charity found exemption. The sources of rapacious corruption were the Assembly Railroad Committee, and the Committee on Cities and Villages. I say this upon reliable authority, to correct the 'Tribune' and the 'Times,' in both of which journals this Legislature is commended for its integrity. That there were honest and honorable members in both houses, by whose integrity and firmness much bad legislation was arrested, is true. The Senate, fortunately, presents an inflexible majority of upright members; while in the House, the Ring was formidable enough to put through whatever paid or promised to pay liberally, in defiance and derision of the efforts of an honest minority."

Mr. Weed says, that not even a religious charity found exemption. We can confirm that assertion. A committee of benevolent ladies went to Albany last winter, and asked the Legislature to give them $20,000 in aid of an institution for the nurture and education of children who lost their fathers in the war. They said in their petition, that, after having been compelled to refuse admission to two hundred children of slain soldiers and sailors, who had no one left on earth to care for them, they had resolved to try and erect a larger building, for which purpose they proposed to raise $20,000, and asked the Legislature to double the sum. Even this holy charity the shameless villains "struck at." An agent of the Ring called upon the ladies, and said, in the plainest English, "Pay me $2,000, and you can have half the sum you petition for; pay me $5,000, and you have the whole." The poor ladies, confronted for the first time in their lives with the extreme of human depravity, knew not what to think of this proposal, nor what to say to the man who made it. Anxious for their orphans, and far from their natural advisers, they

were on the point of yielding, when the husband of one of them came to the rescue, and urged them not to taint their infant enterprise with the leprosy of corruption. They were reluctant to give up the aid so urgently needed, but they did do so at last. Later in the session, the Ring, finding that nothing could be got from them, allowed the honest minority to carry a bill giving them $5,000. This narrative we received from the lips of the estimable and distinguished lady who headed the deputation.

It is such facts as these which convince us that the Legislature, as now elected, cannot be trusted for the future government of the city. The reform must be radical. It must begin at the bottom, with the voters, and work its way up. The Citizens' Association — a body of eminent merchants, lawyers, and men of leisure, united for the sole object of reforming the government of the city — have proved, by most costly and laborious experiment, that the majority, long controlled by the plunderers, cannot be shaken from their devotion to them. By needless interference with the Sunday usages of the Germans, as well as by some wise and just restrictions upon the selling of liquor, the friends of reform have rendered the great grog-shop interest a unit for the corruptionists, and that interest can send to the polls twenty-five thousand votes. By very great exertions, an honest man can be chosen Mayor; for there is still in New York a small majority of the whole number of voters who will vote as they ought, if the issue is clear between honesty and corruption. But in the wards and districts inhabited chiefly by ignorant foreigners and vicious natives, the case is hopeless. Printed matter cannot reach them. They are untrained in the duties of citizenship. A prodigious number of them have some small interest in maintaining the system of plunder; for from the stolen millions flow numberless rills of lawless or excessive gain; so that the city is like an Italian farm irrigated by the dirty waters of a pestilential stream. They pay no tax. Since their share of the taxation is paid by them in the form of rent, it is the "extortionate landlord" whom they blame when their rent rises, in five years, from six dollars to twelve dollars a month, for two little rooms. They never think of going round

to Councilman O'Rafferty's grog-shop, or Assemblyman Tooley's desk in the Comptroller's Office, or Supervisor McShaughnessy's market-stand, and berating *them* for cutting down their children's allowance of fresh meat and Christmas toys. It has been found impossible to make them see any connection between their pinching rents and the reckless votes of a man who has promised one of their relatives the place of seventh assistant door-keeper to the scavenger's office. The thing has been faithfully tried, and found *impossible*. What honest men print they cannot read, what honest men say they will not hear.

In view of the expected Constitutional Convention, we beg to offer for consideration the following suggestions.

No man should be deprived of the right of suffrage who now legally possesses it. The State must fulfil its compact to the end, cost what it may.

But no man, native or foreign, should henceforth be admitted to the suffrage who cannot read English composition of medium difficulty. More than that the State has no right to demand. Its right to exclude persons who cannot read arises from the fact that such persons are dependent upon others for the information without which an intelligent vote cannot be cast. Such a rule, applied to the city of New York, would exclude not less than fifteen thousand votes; and this alone would give the city back to its legitimate owners, the virtuous and industrious portion of its inhabitants. This alone would do it!

No man should be allowed to vote at any city or State election who has not paid a direct tax; and that tax should vary with the whole amount to be raised. It would cost about twenty millions a year, for many years to come, to govern, tame, and teach Manhattan Island. Suppose the voters' tax were thirty cents per million dollars of the levy. Then, if the city were honestly governed, a workingman's tax would be $6 a year. But if stealing should raise the levy to forty millions, it would be $12. Now, the difference between $6 and $12 to a man who earns $15 a week is such, that he would be very likely to ask his representatives what it meant, which is the very result to be desired.

The system of governing the city of New York at Albany should be abandoned as soon as it can be safely done. If the city cannot govern itself, it must learn how to do it; and there is no way of learning how to do a thing except by doing it.

No officers should be elected by the people except the Mayor and the members of the city legislature. The people are puzzled and confounded on election days by long lists of candidates, whose names they never heard before. To ask the mass of voters to select a corporation counsel, a sheriff, a comptroller, a judge, is self-evident absurdity.

The distinction between the city of New York and the county of New York, with all its costly train of consequences, should be abolished.

Longer terms of service for Mayor, Aldermen, and Councilmen would, perhaps, be desirable. The appointments to all minor offices should be permanent. No creature should be intrusted with the unlimited power of removal. If the city would be well served, it must treat its servants so that men of honor and capacity will be found to serve it. A man of honor and capacity will not hold his livelihood at the mere mercy of another man.

There must be a decided increase of many salaries. Men capable of managing the finances of a great city, men fit to control any of the departments, cannot be induced to forego their chance of fortune in private business by salaries no greater than those paid to bank-tellers and book-keepers. A rich man of respectable talents *may* occasionally be induced to serve as Secretary of the United States Treasury for a sum per annum less than modest housekeeping costs in Washington. It is insanity to pay him such a salary, it is true; but then the honor counts for something. In a commercial city, business is done on business principles; and if a $20,000 man is wanted, $20,000 must be paid for him. It is not just salaries that burden any people; it is stealing that does that. On the other hand, an officer who holds his office until proved to have misbehaved in it need not be paid the salary justly due to one whom a breath unmakes.

Somewhere in the system of city government there must be

a power, a court, a something, independent and disinterested, before which an officer accused of misconduct or incapacity can be arraigned promptly and fairly tried.

It might be well that the Board of Aldermen should be composed of men who pay a tax upon $ 5,000 worth of real or personal estate. With a taxed and restricted suffrage, this safeguard against profusion might not be necessary; but if the suffrage remains unrestricted and untaxed, some provision of this kind will have to be adopted.

These are some of the ideas which have occurred to us, and we offer them for consideration, with sincere deference to those who are versed in the art of governing. It is an arduous task which the people of New York have before them, and it will task both their wisdom and their patience to the uttermost. It will be difficult to dislodge the public thieves. It was difficult to take Richmond. But the taking of Richmond and the capture of the Rebel army were not more essential to the triumph of the United States over its enemies, than the reform of the government of New York is to the credit and spread of free institutions throughout the world. We have all heard of revivals of religion. Why may we not look for a great and glorious revival of public spirit? There are, indeed, indications that such a revival has begun. We hear of several instances of men of leisure who are awakening to the truth that there is a nobler way of using the gift of leisure than in looking out of a club window, or in collecting valueless rarities, or in printing exactly one hundred copies of antiquated trash upon "large paper." The existence of an organization so respectable and determined as the Citizens' Association is a sign of promise, and we hope to see its efforts seconded by other societies. Dr. Franklin mentions that, several months before the meeting of the Constitutional Convention of 1787, clubs and societies were formed for the purpose of exchanging opinions and gathering knowledge relating to the science of government. One of them met weekly at his own house, when papers were read and discussed, and questions were proposed for consideration during the week. Why not have a dozen such in every ward this winter ready to co-operate with the Citizens' Association? The "Tribune," which has hon-

orably distinguished itself by giving unrelenting publicity to schemes of spoliation, and the "Times," which has exposed much of the interior working of the system, and holds no parley with the thieves, — both, we are assured, are ready to lend their columns to the work of reform. Whatever any club may be able to expose or suggest, that is of the requisite brevity and importance, will find ready access to the public through those great journals.

We have been obliged in this article to limit ourselves to a single feature of the misgovernment of New York, — the stealing of the public money. There are departments of the system into which we shrink from casting a glance. To some of these corrupt men are intrusted the pauper, the sick, the criminal, the insane. It is their duty to guard the myriads of the virtuous poor against the rapacity which builds for them habitations that are unsafe and pestilential. Think what the government of such a city might be and do, what noble institutions it might found, what grand experiments undertake, what beautiful edifices construct, what merit employ and reward! The legislature of the city, composed of men eminent in business, in science, and in benevolence, — the men first in their several spheres, — would rank high among the great parliaments of the world, and contribute powerfully to its advancing civilization. The city of New York abounds in able and honest gentlemen, in every sphere of life. On just conditions, they can be won to the public service. Why can we not have them?

And let no one suppose that this is a subject which concerns the people of New York only. It concerns us all. Not only has every American citizen an interest in the welfare and honor of his country's chief city, but the evils under which New York suffers exist, to some degree, in many other towns, and threaten *all* of them. New York, as we have said, is a sieve which lets through the best of the emigration that comes to our shores, but catches and retains the worst; and therefore it is in that city that the system of unqualified suffrage has been *first* put to a test under which it has broken down completely and hopelessly. But in all our large cities there is of necessity an assemblage of ignorant, irresponsible, and thoughtless men,

totally incapable of performing the duties of citizenship. We accordingly find in Brooklyn, Philadelphia, Boston, New Orleans, San Francisco, Chicago, Albany, Rochester, Buffalo, St. Louis, and many other cities, the insidious beginnings of that misgovernment which has made New York the by-word and despair of the nation.* New York, too, is suffering vicariously for her sister cities. As it has been her destiny to suffer most from the evils of ignorant and untaxed suffrage, so it is her duty to wrestle first with those evils, and apply a remedy which shall be radical, final, and universally imitable. She will perform that duty. She is performing it. No city of equal size on earth contains so great a mass of public spirit and administrative capacity, and we feel persuaded that the time is near at hand when those great qualities will be successfully exerted in rescuing the metropolis from the hands of the spoilers who have stolen into possession of it.

It looks now as though one half of civilized mankind were going henceforth to live in towns; and it appears to us that in the laying out, the decoration, and government of towns America has shown a particular talent. How full of all pleasantness are the villages of New England, with their gardens

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* During the prevalence of the cholera last summer, an appalling glimpse was given the public of the interior of a jail in the city of Brooklyn. An eyewitness wrote: "The cholera there resulted from over-crowding the cells. The ventilation is bad, the air offensive, the food, pork, beans, bread and molasses; and when the late intensely hot and debilitating weather is taken into account, it should be a matter of wonder that every one was not stricken down. The criminal courts adjourned from June until October, and to my knowledge there are many there too poor and friendless to get bail, that will be able to prove their entire innocence when put on trial. To keep these persons in over-crowded cells with broken-down drunkards, whose systems were fitted by long habit for disease, would be little better than murder..... A panic existed that no imagination can conceive. Terror was in every face. In one cell, an Englishman in collapse, rising up and falling down convulsively, his cell-mates running round almost distracted; in another, a corpse about to be removed. Two little boys, waiting to go to the House of Refuge, were screaming at the top of their voices from fear; a drunken man singing a maudlin song in a corridor; men in the halls, with their faces to the gratings, trying to breathe fresh air, for fear of inhaling contagion. Several others, with symptoms of approaching cholera, were expecting death. If all the prisoners could be kept in the jail until they dropped off one by one, there might be some sense in it, apart from its inhumanity. But the jail supplies the almshouse, the penitentiary, the workhouse, and, in many instances, the lunatic asylum, with inmates. Prisoners are first usually taken there before being sent to those institutions."

and lawns, their tidy fences and spotless houses, their ample streets, and their mighty elms waving over all. What other land can show towns so vigorous and handsome as Nashville, Cleveland, Detroit, Buffalo, Rochester, and fifty others that will occur to the reader? What a spirited thing it was in Vermont to commission young Larkin Mead to adorn her Capitol with a statue of Ethan Allen; and in Cleveland, to commemorate Perry's victory by one of the finest out-of-door monuments in the world; and in Tennessee, to crown the heights of Nashville with a State-House of unequalled elegance and solidity; and in marvellous Chicago, three times to raise the entire city for the sake of better drainage, and to bore far out under Lake Michigan for pure water! How good it was in great Boston to put it within the reach of all her boys and girls to learn how to swim, and of all her men and women to practise the art! This was one of those fine details of civilization which are only reached after the great essentials have been realized and become habitual. New York, too, might boast, even amid her blushes. The Central Park was a noble gift to posterity; the Croton Aqueduct was a truly Roman thought; and all the islands, — are they not covered with public institutions, nobly planned? We can truly say, that the people of the United States have shown an aptitude for orderly and elegant arrangement. They know how to make their towns and cities fit abodes for civilized beings, and they mean to make them such.

But the spoiler must be expelled, or he will spoil all. Honest men possess all the true, trustworthy intelligence there is in the world. Villains of talent there may be, but no wise villain, still less a villain of public spirit. The thieves must be driven out, if it costs a bloody war; and it *will* cost a bloody war if they are not.

ART. V. — *Elements of International Law.* By HENRY WHEATON, LL. D. Eighth Edition. Edited, with Notes, by RICHARD HENRY DANA, Jr., LL. D. Boston: Little, Brown, & Co. 1866. 8vo. pp. xlvii., 749.

THIS book has not been given to the world too soon. The original work was first published in 1836; the edition embodying the author's latest additions followed in 1846. The character of Mr. Lawrence's ponderous and evil-disposed labors in 1863 will justify us in laying his edition quite aside. The work, then, as it has come down to us from Mr. Wheaton's own hands, though constructed upon a superior plan to any other treatise on the same subject, yet leaves the events of a wide and stirring period to be chronicled. The science of international law is daily growing, varying, advancing; especially of late years its developments have been rapid, numerous, and important to an extraordinary degree. The *Ultima Thule* of the wisdom of the last generation seems but a milestone long since passed in our quick career. The civil war in this country has alone been as prolific of new complications, new questions, new views, as half a century of former days. In no study, we venture to say, does the advance of the Christian nations of the world in civilization and in that public morality which is, after all, only the conglomerate of countless individual moralities, more clearly show itself than in that of international law. There we see a steady progress; each generation of publicists, of statesmen, even of warriors, demonstrates equally in word and deed an increasing respect for the abstract principles of humanity and justice, a greater reverence for the peaceful dictates of law. Reason steadily gains ground; violence as steadily recedes. Thus, since each important change is tolerably sure to be for the better, it is of the utmost importance to the interests of humanity that each change should be quickly laid fast hold of, and reduced into the written code of the law of nations.

We are glad to be able to say that, in the work before us, the enlightened and humane temper of Mr. Dana is no less conspicuous than his erudition and discretion. His numerous and elaborate notes, some of them extending to the length of thirty closely

printed pages, form, as it were, a series of essays setting forth the divers novelties and changes introduced into the science within the last twenty years. Mr. Dana shows a peculiar felicity in preserving the same just appreciation of relative values which is a distinguishing excellence of Wheaton's original work. He seems gifted with an apt discretion, which, like an instinct of the intellect, guides him in a wise selection and just proportioning of his matter, and which prominently appears in the skilful mingling of the theories of the ancient publicists, the precedents afforded by history, the decisions of legal tribunals, the discussions of statesmen, and his own opinions upon new or disputed points.

In the works of Grotius, Vattel, and others of the time-honored writers, — we may well call them the fathers of the science, — there is unavoidably a theorizing, impractical tone, an appearance as of the expression of individual notions of sound sense and justice, oftentimes somewhat Utopian, and certainly more like the wisdom of learned scholars than of men conversant with the ambition of soldiers, the negotiations of diplomatists, or the enterprise of merchants. But International Law now not only allows, but demands, a different mode of treatment; we require now not so much individual speculation and theories of abstract justice as a thorough and exhaustive compilation of instances, and an acute and critical analysis of principles. We wish to know both what things have been done, and upon what principle they have been done; under what circumstances they were undertaken by the one party and submitted to by the other; and, finally, we need a judicial summary of their precise value as precedents. A work executed with ability, for the satisfaction of these objects, will answer one of the most important wants of the times. Such we regard the work which Mr. Dana has accomplished. His notes are remarkable for clearness alike in statement and in argument. His style is distinguished by accuracy, never pruned into meagreness, never bursting into redundancy, which is doubtless the result of his long and careful professional training. Even when tracing the thread of strict legal reasoning, he preserves that lucidity of expression and of logical sequence which renders his meaning comprehensible to every reader.

It is a general impression that the necessity which the lawyer is under of *representing* only one side, must be either the cause or the result of a habit of *seeing* only one side. No notion can be more incorrect. It is no less the lawyer's function to anticipate the opposite side, than it is to set forth his own; he must refute opposing arguments, and to refute he must foresee. A well-trained lawyer then, in any case where he is not misled by personal passion and prejudice, will readily throw off the spirit of advocacy and assume the equity of the judge. But where he is under the influence of personal passion or prejudice, he will doubtless prove himself subject, like the rest of us, to a greater or less degree of human frailty, according to his temperament and his self-control. Mr. Dana has been subjected to a peculiarly severe trial of this nature. It has been his duty to state and to discuss the numerous points which have been raised in our late civil war. Upon the one shore the miserable wreck of his predecessor furnished him with an ominous warning; but on this rock there was little need of a beacon to admonish him, — his danger lay on the other quarter. Even such language as would well become a history would be wholly out of place and inexcusable in a legal treatise, where the picturesque qualities of light and shade, however truthful, and vivid representation, however lifelike, are altogether inadmissible. Forgiveness should certainly be accorded to an only moderate bias, but in truth we can see no call for charity; the judicial impartiality which is preserved throughout these notes seems little short of a miracle of self-control. Certainly the value and the temper of the editor's work will meet with entire commendation in all countries in the second and third generations hence. No one will then discover, except as a matter of history, that this contemporary annotator was himself, as it were, a party contestant in the grand struggle of which he writes with such judicial coolness.

It is true that a comparatively large space is allotted to the discussion of these American points, but perhaps not unduly. We must consider that these questions arose out of a rebellion in one of the leading powers of the world, not only of unexampled magnitude, but also of a peculiar nature. It was not a revolt against a monarchy, of which the precedents are numer-

ous and the features necessarily for the most part familiar, but a secession of certain organized parts of a commonwealth from the major part thereof, a matter without precedent, and presenting an aspect wholly novel. Further, the questions arising between this country and Great Britain were of more than usual importance, as being of a nature likely to repeat themselves in all wars which may occur between civilized nations for a long period to come. They arose between the two great maritime powers of the earth, who in such cases must be expected to lay down the law for others : they were fully discussed, by no means in a spirit of amity, and by nations so proud and so well matched that no decision can wear the appearance of an erroneous result brought about by the influence of fear or prudence. Finally, it is a general principle, that the newest law is for the time the most valuable ; it is the result and embodiment of much of the old law ; it is the exponent of the latest views and principles ; it has not yet been so tested that its exact force and value are known, and may be stated in a sentence, but it needs to be fully studied in all its attendant circumstances. In view of these considerations, we may safely conclude that the notes on American points are not, as a general rule, unduly elaborate, but that they simply meet fairly the natural exigencies of the subject. Moreover, in international law, the practical result is apt to have great influence in fixing the legal value of the event. We have attained a result so decisive and so contrary to that anticipated by the most eminent European publicists, no less than by Mr. Lawrence, that it is well to have the arguments which they have been busied for five years or more in inculcating elaborately answered and conclusively refuted.

The first note which by its length and value attracts our attention is that upon the "Monroe Doctrine." The subject, of course, is full of interest, not only for its past associations with our national history, but for its bearing upon present circumstances and its inevitable connection with many questions which must hereafter arise in the career of this country. In the frequent discussions concerning the present aspect of affairs in Mexico, the position which it is incumbent upon the United States to assume, and the relations which it is her right, her

policy, or her duty to maintain with France and the Imperial faction, the Monroe doctrine is a phrase on everybody's lips, and is used by the advocates of interference as a name to conjure with. The story of its birth and growth will then naturally be just now listened to with even more than ordinary attention. We use the term *growth* advisedly: for, as Mr. Dana shows, it has verily grown ; and the Message of President Monroe contained only the germ of that theory, which, at least in the mouths of the many, is now intended by the words. From the connection in which the phrase is now used, — even by educated and well-read persons, — and from the inferences and arguments which they found upon it, it may be safely concluded that the present popular notion of its meaning is nearly this : that it lays down as the policy of the United States a double rule, whereof the first subdivision prohibits our government from interfering in the wars and entanglements, or becoming party to the internal offensive and defensive alliances of European powers; and the second subdivision enjoins upon us to allow no intervention by European powers in the affairs of American states, excepting, of course, such parts of either of the American continents as are already the rightful dependencies of European crowns. The underlying principle of this latter injunction is generally understood to be, that, as the United States is the grand example, and may naturally be regarded as the protectress, of popular governments, and as, on the other hand, the European powers stand in the same relations to the monarchical and despotic principle of government, therefore it will be not only generous, but also wise and politic, for the United States to preserve this Western hemisphere, so far as possible, free from the control and invasion of European principles, and to lend the peoples thereof such countenance, aid, and protection as they may require in the establishment and maintenance of republican and democratic systems ; and further, to this end, that we must constitute ourselves the watchful guardians of our weaker sisters, and hold ourselves ever ready to interfere in their behalf whenever European armies or diplomacy threaten the subversion of their domestic government. It is then but a step to insist on this principle as a component part of the doctrine itself; and we already find that many persons consider

that the true force and point of the Monroe doctrine is correctly expressed by stating that it alleges our true policy to be to guarantee and to preserve the existence of all popular governments now existing in either continent against external assault or foreign intrigue. Thus by degrees the corollary is becoming embodied in the theorem, and perhaps the doctrine has not yet reached its entire growth. Of course, in fulfilling the spirit of the doctrine thus understood, we might at any moment find ourselves obliged to take part in a foreign war. This popular notion contains certainly a vast deal of generosity, and, if read by the lamp of reason, betrays no insignificant amount of worldly wisdom and sound policy. But it is important to bear in mind that neither the old doctrine, nor this novel phase of it, is anything but the statement of a policy maintained by individuals, be they more or less in numbers and influence. Yet in all its forms it has found able and eloquent advocates; it has always been a word of power in the land; it has been a cry which even its opponents have treated with respect and assaulted with moderation. Thus it has gradually grown in prestige and influence. But it has never yet been in any manner officially adopted as a rule to national action. The efforts which have been made to secure such adoption have invariably failed; and we have yet to see it become the cause of complication between our own and a foreign government.

What the original doctrine was, and how far it fell short of the modern theory which bears the same name, we will now proceed to inquire. In 1823 two sources of dispute threatened to disturb our foreign relations: the first grew out of the pretensions of Russia, who claimed exclusive rights over the territory extending from the Frozen Ocean on the north to the fifty-first parallel on the south; the second arose from the pending controversy with Great Britain concerning our northwestern boundary. In connection with these claims, these two powers asserted that the immense wilderness of the West was still open to discovery and colonization. In reference, then, to these matters, President Monroe, in his Annual Message to Congress of December 2, 1823, said: "The occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents,

by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European power." The simple intent of this clause has been perverted and magnified to an extraordinary degree, until it has been even assumed to contemplate a complete prohibition against the acquisition by any European power of any territory upon either American continent, by any means whatsoever, be it by conquest, voluntary cession, treaty stipulation, purchase, or even by a succession through family alliances. But no enunciation of policy was ever more completely misconstrued. These words were spoken as words of guidance and counsel, bearing upon the then existing state of national affairs and upon questions then imperatively pressing for a decision; with reference to these it must be read. Here was an immense and valuable territory, — the entire West, — in a great part of its extent wholly unexplored even by the wandering and adventurous feet of trappers and backwoodsmen. All this grand tract the United States claimed as its own proper domain, subject only to the encumbrance of an unsettled boundary line. But Great Britain and Russia claimed that it was *terra nullius*, that it was still open to discovery and occupation, and was subject to those ordinary rights of ownership which in the allotment of these new continents had been universally conceded to that power whose subjects should be the first to penetrate and colonize unknown and unsettled regions. President Monroe intended to announce that the United States absolutely denied the existence of any right to colonize these Western wilds on the part of any foreign nation. This ground taken by him had been already laid down by Mr. Adams, then Secretary of State, who had written, a few months earlier, that "The American continents henceforth will no longer be subject to colonization. Occupied by civilized nations, they will be accessible to Europeans and each other on that footing alone." Whatever light is required for deciphering the significance of the President's words is shed upon them by this letter. It shows that their force was simply to aver that the American continents, however unredeemed, or even untrodden, in parts, were nevertheless, so far as the right of possession was concerned, wholly appropriated in every part by some one or

another of civilized nations; that the day had gone by when any foreign government could acquire territorial claims simply by virtue of the journey of one of its subjects through the forest or over the prairie, and the planting of its national ensign on a beach or a mountain-top, after the fashion in which it had been customary to secure a species of pre-emption right in the earlier days of the New World; also, further than this, that the settlement of squatters or immigrant bands in any part of the continent could no more be valid to transfer ownership and jurisdiction to their parent country, but that they would remain either as trespassers or as subjects on the territory of that nation to whom the tract in question had previously pertained. In a word, the statement was, that every acre of American land had its recognized and legitimate sovereign and owner, and that no shifting of sovereignty or ownership could be thereafter effected by discovery, exploration, or settlement. This doctrine was laid down simply to meet the present exigencies of the times. If this view be correct, it robs this clause of all but historical interest, since any possibility of such claims as those then advanced by Russia and England has been long since totally and forever precluded.

We pass next to passages which follow, after a short interval, in the Message, which may be of greater present interest, and in which whatever of vitality still lingers in the old doctrine must be sought. Shortly before this time the famous Congresses had been held at Laybach and Verona, and the Holy Alliance had been formed for the express purpose of mutual assistance between the monarchs and despots who were parties thereto, against all movements threatening the stability of their power, and for a common guaranty of their thrones. That these confederates were quite in earnest in their intent had been put beyond a doubt by their vigorous suppression of the recent popular commotions in Spain. And now, having restored tranquillity in that country, they were turning their attention to the Spanish and Portuguese colonies in South America. These colonies had some time before taken advantage of the imbecility of their Transatlantic rulers to throw off the yoke of subjection, and establish independent and democratic forms of government. They had thus far thriven well,

and their success had been long regarded as beyond the possibility of question. But the threats of so formidable a combination as the Holy Alliance at once cast an ominous cloud of doubt athwart their newly risen sun. With eloquent earnestness they sought for aid from the United States, appealing at once to their sympathy, their generosity, and their obvious interest. Great Britain, who regarded the Holy Alliance with more of jealousy than friendship, backed their suit. Powerful and eloquent appeals were made in their behalf by American orators; and popular feeling ran high, and daily higher, in their favor. The question must come before Congress early in its session, and the President expressed to it his views in the following clear language: —

"In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. . . . . The political system of the allied powers is essentially different in this respect from that of America. . . . . We owe it to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition; and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security."

Then, speaking of the recent forcible interposition by the allies in the internal concerns of Spain, he says: —

"To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, and even those most re-

mote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same; which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it; and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to these continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our Southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that the other powers will pursue the same course."

In these sentences it is very clearly laid down as a general principle, that the United States would shun all entanglements in European politics, so long as it should be possible for her to do so. But this principle was older by far than the Message, and in 1823 had long been elementary knowledge, and had passed into an axiom with American statesmen. Even then it was long since the merchants and ship-owners of the seaboard States had learned to look upon the struggles of European powers as affording the rich harvest period when the neutral bottoms of this country could reap golden fields and garner all the richness of foreign lands. This enunciation of policy then was neither new nor striking. But in the matter of prohibiting Transatlantic interference in Cisatlantic affairs, how far does the Message go? Does it authorize us to call by the name of the Monroe Doctrine that theory which has been above stated to be involved in the modern popular apprehension of the phrase? Certainly Mr. Dana seems to us to be correct, when he says that the Message does not go so far, — does not lay down any such rule of general application. This portion, like that which preceded, is to be regarded simply

as expressing the opinion of the chief executive magistrate upon the course which it behooved Congress to pursue in reference to the Spanish-American question, as it was called. Here was an extensive and warlike confederation, leagued for the interests and perpetuation of the monarchical system of government simply as such, bound avowedly to support the abstract principle of single against popular sway; it had already shown both the will and the ability to act on its own continent; it now began to demonstrate a proselyting spirit, and to threaten to stretch its mail-clad arms across the Atlantic, there to add new links to its strong chain by the forcible coercion of the reluctant and free nations of the Western hemisphere, and to seek them in the immediate neighborhood of this country, — as it were, to pluck away from the very skirts of our garments those young nations who clung to us, pleading hard for sympathy and protection. If this were permitted, the United States might certainly fear that the time would come when her suffering temper would too late become the source of regret to her; when she would find herself, as the sole representative of free government, occupying a position of most uncomfortable solitude; and would then painfully regret that she had carelessly sacrificed the opportunity, once presented, of securing a thriving and a grateful band of allies. Many persons, throughout the country, were loudly crying that ordinary prudence and foresight demanded that the United States should act before it was too late, and should publish her warning to these political crusaders before they should have committed themselves too far to be able honorably to draw back.

The Message stated that, in the opinion of the President, the country could not witness the proposed intervention by the Alliance without feeling herself *seriously aggrieved and even endangered.* What course she should pursue, — whether she should go so far as to share in the contest, — he did not intimate. Simply he said that it was not a business which we should allow to pass unwatched and unregarded; he left the door to an active interference open, but he did not commit himself to the policy of passing through it. If resolutions should be passed by Congress echoing the sentiments of the

President, then European politicians might combine the expressions of the executive and the legislative branches, and, placing them beside the clear current of popular opinion, might shrewdly surmise the probable result, and might be wise in time. But Congress passed no such resolutions, laid down no scheme of national policy, and we are left to gather from the President's language the meaning which he wished to convey. Certainly it seems to us no wider or more general than the exigency which it was intended to meet. The numerous other supposable cases, to any of which, should they arise, the present Monroe Doctrine, so called, would apply, find no applicable rule in the language of the Message.

Let us take the case presented by the existing Mexican imbroglio. The analogy between this and the South American question is as close as will often occur; and in this connection, if ever, we can cite the Message as, in spirit at least, pertinent. France professes to have causes of war with Mexico, which must be recognized as sound and sufficient. That for such causes she may declare war and seek reparation, no one would deny. But when she goes so far as to undertake to change the form of government from a republic to a monarchy, the question arises whether or not the United States shall interfere to prevent this. Then the doctrine is quoted, and its fame and antiquity are summoned to aid the advocates of intervention. In accurately defining the line of demarcation between the old and the new meanings of the term, we are, then, engaged in no idle logomachy, no frivolous quarrel on a mere matter of phraseology. It is not enough that the present popular meaning is definite and clear; it would not be enough even if this meaning were universally adopted, so that the force of the words could never be misunderstood. This name professes to represent a policy. It is the embodiment of a positive and somewhat complicated theory. Like an algebraic symbol, it stands for very much that is not expressed. But, having in one age been used to signify a certain series of ideas and arguments, and obtained the advocacy of leading men, and the enthusiastic belief of a large part of the nation, if at length it is gradually and almost imperceptibly altered, so that the significant no longer expresses the things formerly

signified, it is surely neither just nor wise to let the new doctrine, by virtue solely of preserving the same exponent, retain all the influence and prestige of the old. It is not fair to quote the language of honored and able statesmen who supported the one, in proof of the worth of the other. When we see this process going on, it is certainly worth while to clearly expose it, to show the difference between the new and the old, to let each stand upon its own merits, and to have no sailing under false colors, no parading in stolen armor. The new may be as good or better than the old. But let each be clearly distinguished; let men know accurately of what they and others are talking, and comprehend the force of their own and their opponent's language. Then whatever is done will be done advisedly and with due knowledge.

As yet, indeed, the new meaning has not been adopted as the rule of national conduct. Mr. Seward, in his excellent letter of December 6, 1865, to M. Montholon, speaking of the "national discontent," says that while the United States "recognize the right of sovereign nations to carry on war with each other, if they do not invade our rights or menace our safety or just influence," yet they "sympathize most profoundly" with the republican system of Mexico, and the effort to subvert this and to establish in its place a monarchy cannot "but be regarded by the people of the United States as injurious and menacing to their own chosen and endeared republican institutions." In his despatches to Mr. Bigelow, he says that interference by foreign states to prevent American states from enjoying their deliberately established republican institutions "is wrongful, and in its effects antagonistical to the free and popular form of government existing in the United States." And again he says, that though the United States desire to "cultivate sincere friendship with France," yet "this policy will be brought into imminent jeopardy" unless France shall desist from prosecuting her armed intervention for the substitution of a monarchy in place of the republic. All this language is only a shade more strong than that of President Monroe. It is in strict accordance with the true "Monroe Doctrine"; but it certainly marks out no positive course for the nation. There is not in it anything approaching to definite intimation of what we shall feel

called upon to do if the French intervention is persisted in. It does not commit us to interference; it conveys no threats of war. When, then, men are crying out that the Secretary of State has adopted the Monroe Doctrine, and has officially announced it as the policy of the nation, it is very essential that the people should know just what these words signify; should comprehend exactly what that doctrine is which has been adopted and announced by the Secretary; should understand to what it binds the country, if indeed to anything; and whether or not it directly, or by necessary implication, obliges us to an armed interference, and to a guaranty of the Mexican Republic.

We are in haste to pass to the important topic of neutrality, but we must pause in our way to notice Note 153, on "Belligerent Powers exercised in Civil War." (p. 374.) This is an admirable treatise, composed with such perfect impartiality as cannot fail to awaken high respect and admiration. It is a strictly professional discussion of pure legal principles. "The great Rebellion in the United States, of 1861," says Mr. Dana, "was not an insurrection of professed citizens for a redress of grievances, against a government whose general authority they acknowledged, nor an insurrection or civil war for the purpose of changing the government or dynasty of an acknowledged common country. It was an attempt of a majority of the people in one section of the country to organize themselves into a distinct and independent sovereignty; in other words, an attempt, by an act of revolution, to set up, within the previously acknowledged limits of a previously acknowledged common nationality, and of a government acknowledged to be legitimate, a distinct and independent nationality." (p. 374.) He then proceeds, with beautiful precision, to trace the exact legal relations which the United States and the Confederate States bore to each other in the conflict. In the eye of the law, the United States had the unquestionable right, whenever they had the opportunity, to treat any and all the Rebels as traitors and criminals, and to try and punish them as such, and to refuse to accord to them any right whatsoever which might be claimed by them in any other character. These were our undeniable rights. But, on the other hand, there was no imperative ne-

cessity upon us to exercise them to the extreme, or to any particular extent, or in any individual case. We could waive and remit them in whole or in part, at our option. For divers reasons of sound policy, — to enjoy the belligerent right of blockade, to free ourselves from liability to foreign powers for injuries to their commerce, or other wrongs done them by the Rebels, and also for the humane object of preventing a barbarous retaliation, — we did choose, in nearly all matters in which the question arose, to treat our rebellious countrymen as foreign enemies, and to accord them the ordinary privileges of belligerents. We even consented in very many points, where we might at least have raised new and doubtful questions, that foreign nations might treat and regard the Confederates in the same manner. We sometimes deliberately, by our proclamations and our own actions, gave them the right to do so to some limited extent. But these were matters at our own option, both as to how far we would pursue this course and in what cases. That we did so once put upon us no implied obligation to do so again. A waiver operated only upon the especial case in which it was made. We were free to act in any subsequent case precisely as we chose, and were bound to no consistency. The stern course was our right; whenever we departed from it, our departure was simply a boon to the enemy, or a remission to a neutral third party, for which they might thank either our generosity, our policy, or possibly our necessity, as the case might be. This note is certainly the clearest and best exposition yet published of the precise legal *status* of the Rebels in this war. But after all the note shows, what must be acknowledged, that the civil war opened a dread vista of possible complications, and very serious and difficult questions, for which it afforded no satisfactory principle of solution, and which, had they not been put at rest by the liberal policy of our government, might, not improbably, have produced the most terrible and extensive contest yet recorded by history.

The note on Privateering (Note 173, p. 453) gives an interesting sketch of the diplomatic efforts which have been made of late years to abolish this nefarious system of warfare, or rather of plunder. The action of the European powers, which

resulted in the insertion of the desired prohibition in the famous Declaration of Paris, of 1856, is deserving of all praise; and it is agreeable to think that these articles have been signed by nearly all civilized nations. They constitute another milestone planted in the onward march of humanity. It is true that the United States, though invited, has not given in her adhesion to this Declaration, and has not renounced the privateer system. To the note of invitation addressed to her she replied, — referring to the article abolishing Privateering, and also to the third article, which established the rule of Free ships, free goods, — that her accession must be conditional upon the insertion of an article which should secure immunity to all private property at sea not contraband. This proposed addition is known as the "Marcy Amendment," or as the "American Amendment." It was certainly eminently desirable. It was a step in advance of the provisions of the Declaration; but it was a step which European enlightenment or policy was not yet prepared to take. The amendment was rejected, and the United States withdrew its offer to accede on this condition to the Declaration. The principle which she propounded lies, however, in the straight line along which nations have long been advancing; though not yet reached, it is at least in the way to be so. It will probably by degrees creep into favor in national conventions, will become more and more frequently a stipulation in treaties, and will finally pass imperceptibly into an acknowledged principle. At the commencement of the late war the United States was willing to waive this point, and to become a party to the Declaration. England and France, however, refused to allow her to do so, unless certain provisions, with sole reference to the special conflict then pending, were inserted. The United States refused to agree to so unfair and one-sided a proposition, and still remains a non-signer.

We now come to the grand chapter of the work upon the "Rights of Neutrals," — the subdivision which surpasses all others in importance, no less than in its serious complexities. The law of neutrality and the respective rights of neutrals and belligerents are now, and must probably ever remain, the central point of interest in any treatise on international law.

The fundamental idea is of comparatively modern growth. In the pagan days of Greece and Rome, neither the thing nor even the name existed. In the dark ages following the fall of the Western Empire, it was little more than a name. Having its source in Christian ideas of society, and depending for its support upon the progress of Christian enlightenment, it gained authority but slowly. In recent times it has developed and ramified with the development and ramification of modern civilization, and has become complicated in unison with its complication. Modern notions of justice, modern codes of law and decisions of courts, modern commerce and enterprise, the friendly intercourse no less than the extended warfare of modern nations, have all alike been busy with neutrality, until now it has become a branch of study extensive, comprehensive, nice, and exact to an extraordinary degree. As the tree shows each year its increase by a new ring, no less surely does this great code of international principles exhibit steady accretions from the busy ingenuity and fertile brains of each generation of men. It at once covers and unites large and valuable parts of the domains both of history and law; and there are few topics which demand in their pursuit so many or so high faculties of mind, or even, we may add, qualities of character.

The true nature and principles of neutrality were for a time so imperfectly comprehended, that the earliest writers recognized a species of qualified neutrality,—so qualified, indeed, that the element of neutrality was hardly left in any distinguishable form. A nation was allowed to bind itself by previous treaty to render to another in time of war stipulated aid, by contributions of money or of munitions of war, or by contingents of ships and even of men. The fulfilment of these agreements upon the breaking out of war was not supposed to deprive the would-be neutral of her claims to be treated as such by the other belligerent. The only trait requisite to make these contracts legal and proper appears to have been, in the phraseology of the law, *certainty;* that is, that the nature and precise amount of the aid to be rendered should be fixed by accurate language in the treaty. Beyond this, of course, no transgression was allowable. But this extraordinary notion has vanished before the more correct ideas of modern times;

and it is now admitted by all publicists, that a neutral claiming and seeking to exercise these rights may, at the option of the prejudiced belligerent, be treated as an enemy party. Likewise, in old times, enlistments by either of the hostile parties in the country of a neutral were openly and extensively carried on, and were considered liable to no objection. Modern governments, seeing more clearly the danger and the impropriety of such proceedings, forbid nothing with sterner prohibition. Any individual certainly is still free to follow his own bent, — to devote his fortune and his life to any cause he chooses, — to enlist and fight in a foreign quarrel if he will. But anything approaching an organized system of recruiting, with however much of secrecy and regard for external appearances it may be conducted, is now an ample cause of war, and could scarcely lead to any other conclusion.

In 1780 and in 1800 two famous armed neutralities were formed among European powers. The object of the parties to them was to put themselves in a condition to assert those rights and privileges to which their neutrality entitled them. The obvious danger of such alliances, especially if they be powerful, is that they will lay claim to and enforce rights and privileges, as pertaining to their neutral character, which, in fact, are not lawful appurtenances thereof, — conduct which would necessarily prove no less pregnant with future mischief than productive of immediate injustice. And further, though the legality of a neutral's undertaking to protect himself in his just rights by force of arms is unquestionable, yet these rights are on a very weak footing if they stand in need of such support. It lessens their prestige, and therewith their influence. Fortunately, the public sense of right and the general respect for law seem to have so grown since the beginning of this century, that it is now upwards of fifty years since the necessity for armed neutrality has been sufficiently felt to induce any nation to seek to enter into such a compact, or itself to assume such a position.

It may be safely said that neutrality is now, at least in the first instance, a question of diplomacy, law, and precedent. It is only when some new question seems to defy a decision by argument, or when the clear law is grossly disregarded, that

arms must be resorted to by nations who have no other method of solving their disputes. Probably those articles in treaties which concern neutrality are the ones which cost far the most anxiety and labor; and certainly perplexed discussions arising out of this topic are those which task most severely the skill of diplomatists, and which are generally assumed to afford the most accurate gauge of their ability and usefulness. Those deliberate stipulations which are entered into, generally during periods of peace and repose, and as provisions only for a contingent future, are apt to reflect that degree of moderation, wisdom, and justice which belongs to the age of their consummation, and thus show, upon an average taken through a sufficiently long period, sure and gratifying advances. Even those arrangements which are effected between statesmen of angry nations, in times of excitement and of clashing interests and passions, show the same pleasing fact, though perhaps less perfectly. But the toil is endless; for the instant that a war breaks out in any part of the earth, that instant combinations of circumstances begin rapidly to form and ceaselessly to evolve, seldom having exact precedents in the past, and frequently not fully anticipated or accurately provided for by prior negotiations. Thus new questions perpetually present their ominous points. The vast strides which the commercial world takes in every small cycle of years; the increased acuteness, subtilty, enterprise, and capital which business-men steadily acquire; the shrewdness with which they discover schemes for amassing great wealth in times of foreign, even if not of domestic disturbance; and the enormous ventures and risks which the greatness of the possible prize will induce them to incur; — these — even if any great sympathy or interest of the entire nation be out of the case, which does not perhaps usually happen, and if the government be honestly bent on observing at least the letter of its bond, which may more often occur — will nevertheless almost inevitably give rise to many questionable enterprises, to many complaints, to many delicate distinctions, supported by arguments not easily to be balanced, and to many complications, whose labyrinthine course may at any moment suddenly end in war.

As the true theory of neutrality has become better under-

stood, and the requirements which neutrals and belligerents may justly make of each other have, in many particulars, become more clearly defined, the feasibility of some more convenient and prompt machinery than diplomatic negotiations has become evident, and its need, both as a preventive and a cure, has become strongly felt. It was the effort to satisfy this need that first gave rise to the passage of Neutrality Acts. The United States had the honor of taking the initiative in this matter. In 1794 our first Neutrality Act was passed, — less elaborate, certainly, and less thorough than that which succeeded it in 1818, but nevertheless of great excellence, and especially exciting our pride when we consider the entire novelty of the business. At the time, war was waging between England and France. France had in this country an able emissary, M. Genet, — a man of a bold and enterprising temper and acute mind, who fully appreciated the policy of his country, and the objects which it lay in his power to compass for her. The United States, even standing aloof from the war, could aid France much; by becoming a party thereto, they would of course be able to aid her much more. M. Genet not unnaturally postponed foreign to domestic interests, and sought, without stint or scruple, to obtain all possible assistance, in any form and from any source whatsoever, careless, if not even pleased, if the result might be to implicate the United States as an enemy party against Great Britain in actual hostilities. Our treaty with France gave to her privateers great advantages in the use of our ports, and indeed created, to some extent, such a qualified neutrality as we have described above. M. Genet, with great plausibility stretching this dubious right to its utmost extent, and even beyond it, and skilfully availing himself of popular feeling, which ran high against England and was very favorable to France, made free and unwarrantable use of our ports for fitting out French privateers, and for the shelter and condemnation of prizes taken and brought thither by these same illegally despatched vessels. These proceedings were carried so far beyond what international law would allow, that the government, though placing itself thereby in opposition to popular sentiment, felt obliged to take some stringent course to stay the evil, before it

had gone so far as to plunge us into positive war. It was obviously desirable to place in some hands the power to interfere promptly in the earliest phase of each emergency; and in no quarter could this power be so wisely put as in the national courts, the natural dispensers of law and justice, who should act by virtue of, and in accordance with, such regulations as the legislative and executive branches should deem it expedient to frame. It was easier thus, upon proof of the intent to commit a breach of our national obligations, to nip the whole enterprise in the bud, than it was to wait till the mischief was done, and then only avoid war by a tardy and disagreeable reparation, following a long course of diplomatic dispute. The name of Law was formidable and respected among our own people; and the dignity as well as the wisdom of our national judiciary ought to inspire confidence abroad. At the same time, it was quite evident that no new general principles of law could be safely, or even honorably, laid down; that the statute, except only in its preventive clauses, must add nothing to the obligations already imposed by the code of international law. The first Neutrality Act, therefore, drawn and passed in these exigencies, professed only to enact, in a clear, compendious, and distinct form, certain old, established principles of law, binding upon this country as one of the sisterhood of nations as much before the act as after it, and designed to throw these into such a form that the courts might be able to take judicial cognizance of breaches thereof by virtue of this national statute.

The act gave no very great offence, but proved very useful, and remained upon the statute-book until 1817, when new circumstances called for and obtained a new act. This, however, proved less satisfactory than its predecessor, and stood only one year; and in 1818 all previous legislation was codified, and in the place of all prior laws was passed the famous statute of that year, which has continued to this day our national act upon this subject. If not perfect, it has certainly few serious defects.

A few months since, however, near the close of the last session of Congress, a new bill was introduced by a Representative from Massachusetts, and passed the House of Rep-

resentatives; but it was lost in the Senate, mainly, it is to be supposed, by reason of the exertions strenuously made against it by a Senator likewise from Massachusetts. We have little question that the Senator was wholly right. The proposed bill differed essentially from the old bill, upon the one hand, in the omission of certain provisions of surety and prevention, which seem to us of undoubted use, and to be only partially supplied by the substitute inserted in the new bill; and on the other hand, in adding the following section (10): "That nothing in this act shall be so construed as to prohibit citizens of the United States from selling vessels, ships, or steamers built within the limits thereof, or materials or munitions of war the growth or product of the same, to inhabitants of other countries, or to governments not at war with the United States"; — provided that the President may, under certain circumstances, temporarily stay the operation of this section.

That this addition was the main object to be gained by the alteration, there can be little doubt. It derives its significance from the decision rendered at about the same time by the United States District Court in the case of the Meteor. The opinion in this very interesting case in fact decides that citizens of the United States have not, under our present law, those rights and privileges which this section of the new bill confers upon them. If this decision is to stand as sound law in our land, certainly the section in question is a very desirable and proper adjunct to the old bill. That, however, this decision will not so stand, we cannot doubt. It is directly contrary to the views of the law previously taken by our most learned judges. Thus, for example, Judge Story, in the famous case of the Santissima Trinidad, says: "There is nothing in our law, or in the law of nations, that forbids our citizens from sending armed vessels, as well as munitions of war, to foreign ports for sale. It is a commercial adventure, which no nation is bound to prohibit, and which only exposes the persons engaged in it to the penalty of confiscation." This is clear language, and permits no double interpretation.

It is unfortunate that this case of the Meteor, destined as it is to be one of great importance in international law, no less than to private merchants in all lands, did not mature sufficiently

early to be treated of by Mr. Dana. But the position which he would have taken with regard to it is fortunately put beyond the shadow of a doubt by the explicit language used by him. Doubtless with this pending case in his mind when he wrote, though it was then in no form to be properly discussed, he says: "An American merchant may build and fully arm a vessel, and supply her with stores, and offer her for sale in our own market. If he does any acts as an agent or servant of a belligerent, or in pursuance of an arrangement or understanding with a belligerent, that she shall be employed in hostilities when sold, he is guilty. He may, without violating our law, send out such a vessel, so equipped, under the flag and papers of his own country, with no more force of crew than is suitable for navigation, with no right to resist search or seizure, and to take the chances of capture as contraband merchandise, of blockade, and of a market in a belligerent port. In such case, the extent and character of the equipments is as immaterial as in the other class of cases. The intent is all." (p. 563, note.) This language is no less plain and decided than that of Judge Story. That it is sound common-sense is undeniable; and it recommends itself to the legal sense of all who thoroughly study the point in a professional light. It is hard to imagine that the Supreme Court will run such a wild tilt against judges and publicists, tradition and good reason, as to support the present novel finding in the case of the Meteor. If they shall do so, it will then be certainly time to engraft the new clause, above quoted, upon our old bill.

It has been by many supposed that the decision in this Meteor case will be of great weight and importance as a precedent in the question of the Alabama and other Confederate vessels, now pending between this country and Great Britain; and the suspicion has been intimated by some that the law was a little warped by the learned judge, with the charitable intent of aiding Mr. Seward in the controversy. To justify either of these ideas, it is of course primarily necessary that the cases should be at least substantially parallel. That they are very far from being so may be briefly shown. The Meteor was built as a purely commercial enterprise, to be sent to a foreign port, there to take her chance of finding a market, subject to the

risk of capture on the way, to be followed by confiscation as contraband of war; and to the further risk, should she reach her destination in safety, of finding no market in case the war should be drawing to a close, or terms could not be agreed on; liable also to be sold to any other bidder who would pay a better price. She differed nowise from any other contraband merchandise except in the wholly insignificant fact that, instead of being of such a nature as to require to be carried, she was able to move herself. She was simply a mercantile speculation in contraband merchandise, which is of all men and nations confessedly and avowedly legitimate. The Alabama presents no one of these characteristics. She was not built, equipped, and despatched from a neutral port to sail as contraband merchandise, subject to the chances of capture and of a market in a foreign port. On the contrary, she shipped a crew of fighting men in the neutral country, and, sailing thence, took in her armament, by the previous skilful disposition of her builders, in other neutral territory. She went nowhere for a sale. She was bargained for, bought, and sold before she left the dock. Her builders took no risk of a market, neither of seizure nor of confiscation as contraband. Briefly, she had not a trait of mercantile adventure or of commercial character or risk about her beyond the naked fact that her building and equipping were paid for, and doubtless handsomely. She was warlike and hostile from the beginning. The contract was to make her such. Her commission as a Confederate war vessel was on board of her in Liverpool. Her only risk was of being sunk or obliged to surrender after a martial encounter. These were the features in the case of the Alabama. In the cases of other vessels, as, for example, the Rappahannock, we find much less effort to regard the laws of neutrality and to keep on the mask of innocence. In the case of the Meteor, the facts, as they are generally understood to have been proved, were diametrically opposite in every respect. That the builders of the Rebel privateers dealt knowingly with the Confederate government through their acknowledged agent, there can be no question; and their failure to complete their bargain would have differed in no essential respect from an ordinary breach of a private contract. No such fact, but precisely the contrary, appears in the case of

the Meteor. The question then being, as Mr. Dana says, of *intent*, the vital difference is readily distinguishable. The English builders had assured their trade before they entered upon the undertaking; the American merchants only had in view a quite probable purchaser. The former were not free to dispose of their ship to any person who might offer her price, for she was bespoken; the latter would have been very glad to have received and closed with a fair offer from any source. In short, the action of the former betrays clearly the *intent*, the element of illegality; but how the action of the latter can have been regarded in the same light, we must confess ourselves unable to see. Where, then, is the similarity? Or why should it have been conceived necessary to sacrifice the Meteor, to overrule old and good law, to create a new necessity requiring to be met by new statutes of untried efficiency, simply for the purpose of creating a precedent which is after all no precedent? We have perhaps dwelt too long on a matter which does not specifically form a part of the work which we are reviewing. But the general doctrine involved forms a very important part of that work; and the question, as one of international law which is even now in process of discussion, is of the first importance, and of equal public and private interest.

When time and trial had proved the benefit and efficiency of Neutrality Acts, and after our final amended Act of 1818 had been passed, Great Britain, profiting by our example, passed in 1819 that statute which has been there known by the name of the Foreign Enlistment Act. For the drafting of this, our own served as a model, and in fact was almost exactly followed, even to the very phraseology, by the English legislators. But they made one exception, and that of the first importance. This was the omission of Sections 10 and 11 of our act, commonly described as the preventive sections, and substantially as follows: — Section 10 requires the owners or consignees of armed vessels about to sail from the United States, which are owned in whole or in part by citizens of the United States, to give security in double the value of the vessel that it shall not be employed by them in hostilities against any state with which the United States is at peace; Section 11 authorizes revenue officers to detain any vessel manifestly built for warlike purposes, whose

cargo shall consist chiefly of munitions of war, when the circumstances render it probable that she is intended to be used in hostilities against any state with which the United States is at peace. The omission of these clauses, which Mr. Dana observes could scarcely have been accidental, was like drawing the fangs from the serpent, or cutting the hoofs from the horse. Without them, the act was halting and almost useless. For many years, like the stranded rope that is not strained, this statute performed well enough the slight services which were required of it. But in our late war the day of trial came, and it was then found wanting. Its defects might have been repaired by a slight and pardonable judicial leaning to the side of manifest justice. But its deficiencies were rendered even unnecessarily flagrant by the extraordinary rulings of the justices upon whom was cast the burden of construing and expounding it. We refer especially to that lamentable exhibition of bad law and bad feeling which was manifested in the noted case of the Alexandra, with regard to which Mr. Dana most truly remarks: "The mortification felt by the English bar, and by all interested in the judicial system of England, was so generally expressed as to have so far passed into history that it may without impropriety be referred to in a treatise on international law." (p. 569, note.) This vessel, upon the complaint of the American Minister, was seized, on behalf of the British government, by process out of the Court of Exchequer. The information, which was in due legal form, charged substantially that she was in course of equipment and arming with the intent and for the purpose that she should be employed in the service of the Confederate States, to cruise against the citizens of the United States. The charges were denied, and the case went to trial on the facts. The evidence showed that the equipping and arming were not completed. Chief Baron Pollock then, in construing the statute to the jury, pronounced a series of startling *dicta*, which by both English and American jurists are, we believe, unanimously condemned; but which were sustained by an equally divided court, in which the Chief Baron himself sat and sustained his own ruling, and the opposing opinion of the youngest Baron was withdrawn in order to render a decision possible, according to the old English custom in such

dilemmas. This result, says Mr. Dana, "only settled that for the purposes of this case the law was inaccessible." But it also plainly showed that, "so far as the opinions of the four Judges of the Exchequer are an indication of the legal construction of the statute to be adopted in England, there is not only no danger, but scarcely any inconvenience, in a belligerent fitting out a vessel of war in a British port, and sailing directly thence to begin a hostile cruise, provided some part of the equipment, necessary to enable her to begin hostile operations at once, is kept separate from her until she is beyond the marine league; although that part may be contracted for, provided, and sent out at the same time, and put on board beyond the marine league." (pp. 569, 570, note.) That the rulings of these judges were not good law, and misinterpreted the statute, there can be little doubt. But the statute itself is nevertheless very seriously defective, and it is certain that our own act affords no such latitude to judges, — that, under it, no such rulings could be made, and no such vessel as the Alexandra could by any legal ingenuity be allowed to escape from the clutches of justice.

But this case raises a general question of the utmost importance, to wit, what is the intrinsic nature of neutrality laws, and what is the effect of their passage? Plainly they are enacted, not to impose new obligations upon a nation, — for this no nation would voluntarily do, — but to codify and to put into fit shape for practical use those previously existing obligations, which already bound the nation simply as a member of the universal society of nations, and by virtue of unquestioned and unquestionable principles of international law. Neutrality laws are solely for the use and aid of the people by whom they are passed. They are simply a very useful species of machinery, created and employed to assist the government in performing its duties to foreign governments. They constitute one of the legislative inventions of modern times, and serve to bring into play the courts and their rules to replace the cumbrous forms and less practicable processes of diplomacy, just as steam is taught to take the place of hand labor. They are useful to forestall and prevent the commission of those acts which, when done, it is the office of long negotiations to palliate

or to repair. The nation is primarily responsible to other nations for certain deeds when done by herself or by any of her subjects. This responsibility has been long since recognized and fixed by international law. In order that she may more promptly and efficiently perform the duties growing out of this responsibility, she passes her neutrality act. But it is a matter wholly of domestic concern. Her liability to her sister nations is not changed one whit thereby; to them it is immaterial what branch of the government is charged with this performance, or what method is taken to secure it. If she relies on the sufficiency of her law, she does it at her own risk, not at the risk of another people. If the law proves insufficient, it is her misfortune; it is the result of her own faulty judgment, and she remains equally liable to make reparation for the wrong which her law has failed to prevent. It is no answer for her, when called upon to make satisfaction for the wrong, to reply that she is very sorry, but must really be pardoned, because her neutrality act was inefficient in the case. What if it were? No one save her own statesmen is responsible for the sufficiency of her neutrality act. It was her own creation, to suit her own requirements, and for her own sole convenience. The other nation does not seek to hold her under this; she is not coming into her courts as a common litigant, to abide by the construction of one of her domestic laws. So far as the injured nation is concerned, the other may pass and revoke such statutes, regard or disregard them, at her pleasure. But under the general law of nations, according to the well-known principles of the international law of the civilized world, the injury must be answered for. It is out of this code that the liability springs, and according to this it must be met. The defect, then, in the English statute could work no acquittal of England in the case of the Alexandra, or in any similar case. We hold her to answer under the law of nations. She may deal with her own statute as she will, and make it efficient or a nullity as she chooses; but her option to do the latter can in no degree affect the relations which exist between herself and the United States as civilized nations.

If it does not sound unbecoming in our mouths, we may

certainly with a just pride seek to compare the honest narrative of our own conduct in strikingly similar circumstances, which occurred just half a century ago, with this tale of English dealings. The Spanish and Portuguese colonies in South America were then in a state of revolt. They had undertaken to cast off the supremacy of European sovereigns, and to establish free and popular governments for themselves, modelled on that of the United States. When their distance from the parent state, the relative power of the contestants, and the actual condition which the struggle soon assumed, are considered, they all point clearly to that successful result as inevitable, which is now matter of history. The sympathy of this country for the revolted colonies was strong; we recognized them as belligerents; not, indeed, with the indecent eagerness with which England and France hastened to recognize the Confederate States, but with such promptness as the correct feeling of our statesmen allowed. In the nation at large the desire to aid them was very strong, and the temptations to individual cupidity were very great. The natural result was a great straining, and even not unfrequently a transgression, of our international obligations, in the way of building, equipping, and despatching privateers to prey upon Spanish and Portuguese commerce. The Portuguese Minister, courteously acknowledging that he was satisfied with the "conscientious earnestness" of the government officials, stated that he would not haggle for a paltry reparation in one or two petty cases; but asked an alteration in our Neutrality Law to meet those requirements for which at present they seemed insufficient. There was manifest justice in his strictures; and with a request preferred in such a spirit we were very properly glad to comply. Our government raised no question of its liability for acts undeniably done in contravention of international law, though not directly infringing our statute, and at once took the desired step. The statute was reformed and made efficient to effect practical conformity with the law of nations; and the European governments liberally acknowledged their satisfaction. The wide discrepancy between this conduct and that of Great Britain is but too clear, but is no clearer than the manifest soundness of the principle of liability which the United States recognized and acted upon.

Mr. Dana's note on "Carrying Hostile Persons and Papers" (p. 637, *et seq.*) is second in execution and in value to none in the work. The treatment of the general question is exceedingly able. But for the general reader of the present generation, even if not for those more professional, the culmination of interest will be in the case of the Trent. This Mr. Dana discusses with unusual fulness; indeed, if he ever lays himself open to the charge of being led to say too much on any subject, by reason of its present and domestic interest, it is in this instance. But the brief historical sketch at the close of his argument puts to silence such a suggestion. The subject demanded a thorough handling and a complete analysis to relieve it from the mist of doubt, which many pamphlets and obscuring clouds of over-much learning have drawn thickly around it. This note dissipates the annoying fog, and admits a beam of clear sunshine, which penetrates and exposes the inmost corners. The lucid train of legal reasoning addresses itself equally to the understanding of the unprofessional and of the professional mind, and to each alike brings conviction. Henceforth, for all but partisans, the mooted points are laid to rest, and the door is closed against all future controversy. Mr. Dana's argument is too long to be sketched, too complete to be shortened. His conclusion is simply this: — That the taking of Messrs. Slidell and Mason from the Trent, and then allowing that vessel to proceed upon her course, instead of bringing her in to abide the decision of a prize court upon the question of law whether or not she was illegally employed and liable to forfeiture, was an irregular and illegal proceeding, not only without precedent, but contrary to precedent and also to analogy, and wholly unknown to any sound principle of law. Therefore he says that the restoration of the envoys was an act of necessity and justice on our part. He thus takes the same ground which was at the time taken by Mr. Seward; and he sustains it with critical accuracy in the citation and interpretation both of special authorities and of general principles, and with a clearness of original argument which must convince any person able to appreciate the points of legal reasoning.

The advocates of the other side are not formidable. Mr. Lawrence, in his Appendix, treats of the case at considerable

length. It will be remembered that, promptly upon news of the occurrence, he publicly pronounced his opinion that it was regular and justifiable. His statement at the time was highly valued and much talked of, and doubtless he was somewhat nettled at its quiet fate. His argument in his Appendix bears a painful resemblance to the effort of a man who has hastily uttered an erroneous opinion, who does not know how to recede gracefully, but who is yet resolved not to eat his words, and is bringing to bear all the plausibility and ingenuity of his more thoughtful hours to set forth his views anew with such force and skill as at least to give the matter the appearance of a disputed point. His attempts, however, are futile. He is met at every point, and overthrown. His supposed parallels diverge widely; his authorities do not support the doctrines which they are cited to sustain; the sequence of his argument is illogical. All this is necessarily exposed in the sound reasoning of Mr. Dana. The real, or perhaps we should say the possible, obscurity in the case begins just where the facts end; that is to say, it lies in the question, What would have been the decision of the prize court had the Trent been brought in by Commodore Wilkes and subjected to a trial on the charge of illegal service of a nature to render her liable to confiscation? The probable result of such a trial, with the obvious arguments on each side, together with the position in which a decree of condemnation would have placed Messrs. Mason and Slidell, are discussed by Mr. Dana at some length, and with the skill of one accustomed to deal with such questions. But this is of course all mere speculation; and the trial, had it ever occurred, would have been a leading case, with no conclusive rule or sufficient precedent to manifest clearly its necessary result. Mr. Lawrence relies much upon, and quotes liberally from, the French publicist Hautefeuille, who published a pamphlet adopting the same view of the case. It is but the halting man leaning on the bruised reed. Hautefeuille enjoys more notoriety than fame, — is more valuable as a speculator than as an authority. Writing on a subject where established principles and precedents are everything, — which in fact depends upon these for its very existence, — which finds in them its whole past and present sustenance, and without them would become a name,

a shade, an historical reminiscence, and nothing more, — he throws off all trammels, disregards all established doctrines, follows only his own theories, gives us chiefly the result of his own reflections, lays down as the law of nations that which he considers *should* be such, seeks to obliterate the past, and to establish a new system to which his book shall be what the Koran is to the Mohammedan religion, and seems to anticipate that sovereigns, legislators, and statesmen will reverence and submit to his word of power. It is not surprising that, under the influence of those feelings of hostility to the North which influenced Frenchmen scarcely less than Englishmen at the time of this affair, M. Hautefeuille found himself quite free to take any view which would enable him to attack the United States government. Neither is it strange that Mr. Lawrence, in his awkward quandary, seeking for company, had recourse to one whose opinions upon this point, no less than his general sentiments on the grand issue then before the world, were so much in unison with his own.

With this we must take leave of the work before us. But as we look abroad on the present state of affairs, — the complications which bid fair to grow out of the present state of our own relations with France and the Imperial party in Mexico, — the German war, which has brought about such vast changes in Central Europe, — the question of the Northeastern fisheries, temporarily quieted, and at present, perhaps, like the little cloud no bigger than a man's hand, but which may be pregnant with the thunder and the lightning, — the extraordinary possibilities which some persons anticipate in the case of the Meteor, — and last, but not least, the important matter of the equipment of the Alabama and her sister privateers, now in discussion between ourselves and Great Britain, — a controversy which presents a series of unsettled questions, and which, when its parts shall have received connection and vitality from a final decision, will be surpassed in value by no other fragment in the entire science, — as we regard all these now existing perplexities, soon, probably, to be settled, we need hardly contemplate the chance that more will soon arise, in order to assure us that many years cannot pass before further annotations recording the progress of the law will be called for. We

have no question that the opinion of those most competent to judge will coincide with and confirm that which we have ventured to express concerning the worth of Mr. Dana's notes to the present edition of Wheaton's Treatise, and we trust that in future editions he may add still further to the value of the work and to his own distinguished reputation.

ART. VI. — *Harvard Memorial Biographies.* Cambridge: Sever and Francis. 1866. 2 vols. 8vo. pp. 478, 512.

THESE volumes are a memorial interesting not to the graduates of Harvard University alone, but to every American. They contain a gallery of portraits such as can nowhere else be found. Never before was there such a record of youth as is here set forth. For most of the ninety-five biographies in these volumes are of very young men, who gave their lives to the service of their country, having received such culture as our most famous and ancient University could bestow. These young men were fair specimens of the most highly educated youth of America, but exceptional in no respect save in this point of college education; not nobler or better than their college companions, not nobler or better in native qualities than the young farmer from Maine or Illinois, or the young shop-boy from New York, or the mechanic from Philadelphia, whose blood was shed upon the same fields where they fell, but happier perhaps than farmer, shop-boy, or mechanic in having their characters developed by richer culture, and happier than their companions in having been blessed with the privilege of voluntarily offering themselves to maintain and advance the cause of human rights, of liberty, and of law, and of dying for their country in the contest in support of this cause. They truly represent their race and time. They are the genuine sons of America

> "Quæ cum magna modis multis videtur
> Gentibus humanis, regio visendaque fertur,
> Rebus optima bonis, multa munita virum vi,
> Nil tamen his habuisse viris præclarius in se
> Nec sanctum magis, et mirum, carumque videtur."

The volumes have been prepared and published under a vote of the Alumni of the College, desirous in all ways to do honor to those of their brothers who had done so much to illustrate the annals of the University. The series of memoirs comprises biographies only of those graduates or former undergraduates of Harvard University who fell in battle, or died in consequence of wounds received or diseases contracted during service in the army or navy. Former members of the Professional Schools of the University, not graduates of her Academical Department, are not included. The volumes have been edited by Colonel Thomas Wentworth Higginson, than whom no one was better fitted, by sympathy, by experience, and by literary accomplishment, for the task. His own name is inscribed upon the College roll of honor with twofold distinction gained in literature and in war. Accepting the colonelcy of the First South Carolina Volunteers, the first regiment of colored troops raised under the direct authority of the United States, at a time when doubts as to the efficiency of negro soldiers still prevailed, he showed his confidence in the manly qualities of the oppressed race whose warm and able advocate he had always been, and gave the benefit of his character and example to the experiment upon the issue of which hung results whose magnitude no man appreciated more fully and solemnly than himself. For two years he served his country and the cause of man in this post; and when, in October, 1864, he was discharged for disability resulting from a wound and disease contracted in the service, the experiment had been crowned with a success that amply justified his faith. To Colonel Higginson, then, the task of editing these Memorial Biographies was wisely intrusted.

Of the nearly one hundred biographies comprised in the two volumes, "more than three quarters have been prepared by Harvard graduates, and more than one quarter by graduates who have themselves served in the army." The remainder are by near relatives or friends of those whose lives are recorded in them. The "Roll of Students of Harvard University who served in the Army or Navy of the United States during the War of the Rebellion" contains the names of nearly six hundred (five hundred and eighty-nine) grad-

uates and undergraduates who entered the service of the country; and it thus appears that the Memorial Biographies embrace the record of almost exactly one sixth of the whole number. These student soldiers were not sparing of their lives. The long list of the dead shows that they were ready to go wherever duty summoned or wherever honor led; and as one of them wrote, "As they went because they *ought*, so that *ought* kept them fairly up to the work."

There was, indeed, a prevailing sense of duty among these men. Few of them were led by motives of mere ambition, by love of war, or by desire of applause, to enter their country's service, but most of them devoted themselves to her cause because they felt that they owed to it all that it could ask of them, all that they were able to give. "The man who pauses to think of himself, of his affairs, of his family even, when he has public duties to perform, and his country lies prostrate, almost in the agonies of dissolution, is not the man to save it." These words of General Wadsworth, the eldest of those whose lives are recorded in this book, which display the spirit with which he was animated, are repeated in various forms by many of the younger members of this shining band. The simple, manly, and modest expression of self-consecration contained in the opening sentences of Colonel Porter's will might well be taken for the motto of the book, and deserve to be held in remembrance as the characteristic expression, not only of his own high nature, but also of the motives and feelings of many of his brothers in studies and arms. He could have left no better legacy to his country than these words in connection with and illustration of the example of his life and death.

"I, Peter Augustus Porter, being of sound mind, do declare this to be my last will and testament; feeling, to its full extent, the probability that I may not return from the path of duty on which I have entered. If it please God that it be so, I can say, with truth, that I have entered on the course of danger with no ambitious aspirations, nor with the idea that I am fitted, by nature or experience, to be of any important service to the government; but in obedience to the call of duty, demanding every citizen to contribute what he could, in means, labor, or life, to sustain the government of his country, — a sacrifice made the more willingly by me, when I consider how singu-

larly benefited I have been by the institutions of the land, and that, up to this time, all the blessings of life have been showered upon me beyond what usually falls to the lot of man."

The same spirit that is manifest in these sentences reappears again and again in the accounts of other lives. In the memoir of Lieutenant Thomas Jefferson Spurr it is said: —

"His mother was a widow, and he her only surviving child. It was only after a great struggle that he could make up his mind to leave her. He held very strong convictions, and, believing that the North was right beyond question in the contest, was fervent in his wishes for its success. He felt as so many young men felt when the war broke out, that he must do something for his country. He was not moved by the love of glory or adventure, although, being of good constitution, he did not fear hardship. He went because it was his duty to go."

Even those who, under the operation of a variety of motives, doubted how far they were influenced by a sense of duty in entering the service, showed in their very doubt how steadily this sense abided with them. Thus Captain Sturgis Hooper, obliged to leave New England on account of his health, and in this necessity finding the opportunity he had long desired of entering the service, writes: —

"I never claimed the praise of going to the war from a sense of duty; and yet when I see, as I do here, men who are really leaving all that home has pleasant for them from a real sense of duty, it makes me ashamed almost of the motives which prompted me to come, and at the same time gives me some satisfaction in thinking that, if I am not acting from the same high motives that some others are, I am at least doing the same thing, just as much as if my motives were less personal."

It would be easy to cite many more examples of the spirit which is displayed in the preceding extracts. It is the characteristic spirit of the lives here recorded. There can be no question as to its genuineness or sincerity. It was not a delusion or a pretence. These men felt as they spoke, and their careers prove that their sense of duty was no disguise of selfishness, no flush of enthusiasm, was no fleeting ardor of sacrifice, no youthful and transient moral zeal, but was the serious and sustained conviction of their souls, the support

of simple, upright, and liberal manhood. There is nothing conventional, forced, or professional in their expressions concerning the motives and purposes of their lives, and there is entire harmony between the words and the deeds which followed and fulfilled them. This moral earnestness was not a trick of speech, or traditional formalism. It was an inheritance from a moral ancestry, and the result of education in New England principles, and under the influence of those ideas upon which the social and political institutions of America repose. It was in the very nature of these men and youths, — theirs by right of individual assimilation; they could not be themselves and not possess it.

Every circumstance of the time tended to bring out into full activity the sense of duty in the loyal citizens of the North. The enthusiasm with which every great war is accompanied rouses feelings which common life leaves for the most part inert; but the war in which we were suddenly engaged was no common contest for dominion, conquest, or defence. It was a war in its essential nature moral; the clash of arms was symbolic of the deeper clash of ideas. And the enthusiasm which it evoked was not a brutal passion, the mere outburst of hot blood, but was of necessity moral, and the source of excitement of all high moral energies. The pulses, quickened at the sound of the drum or the cannon, beat in unison with inward throbs of sacred emotion and generous purpose. Men and boys went to war, not because they loved fighting, not because they loved their country with narrow and partisan affection, and were eager to take up her cause, whatever that cause might be, but because they felt and knew, without perhaps always formulating their feeling and thought in precise words, that the cause of their country was now that cause which has an indefeasible and absolute right to the complete allegiance of every good man, — that it was the cause of man himself, the cause of Christian civilization. Lieutenant James Jackson Lowell, of sweet and honored memory, expressed this in a letter which he wrote to some of his classmates to acknowledge the gift of a sword which they had presented to him, to replace one which he had lost at Ball's Bluff, where he had been severely wounded. Let not those, he said, who never returned be forgotten; those

"who died for the cause, not of the Constitution and the laws, — a superficial cause, the Rebels have now the same, — but of civilization and law, and the self-restrained freedom which is their result. As the Greeks at Marathon and Salamis, Charles Martel and the Franks at Tours, and the Germans at the Danube, saved Europe from Asiatic barbarism, so we, at places to be famous in future times, shall have saved America from a similar tide of barbarism; and we may hope to be purified and strengthened ourselves by the struggle."

We dwell on this point, not alone because it serves to show how it was that this sense of duty was so prevalent and so strong among the thoughtful and educated men who entered the service, but because the nation is constantly in need of reminding of the height of her great argument in war, and because in no way can the true nature of the principles which give form to our institutions be more effectively illustrated, than by exhibiting their operation on the lives of men who proved their faith in them by the supreme test of devotion. If their faith were vain, then were they of all men most miserable; but they were steadfast, immovable, abounding in the work of the Lord, forasmuch as they knew that their labor was not in vain in the Lord. For the war in which the nation was engaged was but the latest form of the enduring contest between good and evil. The opposing forces were brought into more open conflict than is their wont in this perpetual struggle. To this war every man is born; in its battles, provided only he be on the right side, "any man may happily die, and forth from this war have arisen all the highest sanctities and virtues of humanity."

Men with such a spirit as these Harvard youths possessed, serving in the cause in which they were enlisted, could not but make good soldiers. The nature of the war raised, confirmed, and purified all that was best in them. Not one of them loved war for its own sake; scarcely one but had to overcome the natural aversion of a well-occupied and orderly nature to war; scarcely one entered the army with the intention of adopting the military profession as the occupation of his life. They volunteered for three months, three years, or the war, as the case might be; and though there were few who did not find the hardships and weariness of the life greater than they

anticipated, their experience seemed only to create or confirm their resolve to serve as long as the war should last, or as their own lives should be spared. Over and over again we find in these memoirs such expressions as, "If this war were to last a lifetime, I will see the end. No matter for the blues; let them come if they will; I stay till the end comes."

"I never had any taste for army life, and what I have seen since I enlisted has increased my dislike," wrote Private Tebbetts. "I am not sorry that I enlisted when I did; but when my term of enlistment expires, I think I will leave the army." When his term of enlistment expired, he re-enlisted in the ranks, replying to a friend who urged him to seek the promotion for which he was peculiarly qualified, "The country needs *men*, not officers; and though as an officer I should associate with men of higher rank, they would not be men of higher integrity and virtue." Before the war ended this pure and modest soldier fell a victim to the tortures of Andersonville and Millen.

"This war has got to be fought out to the end," wrote the gallant young Lieutenant Storrow, "be that two years or twenty distant. Victory *must* be the result." The following words are from a letter written in 1862 by Major Howe, of whom his commander wrote, "It is not enough to say that he was brave; many are that. But he was most unusually cool, brave, and gallant."

"I am convinced," said he, "this is to be no short or trivial war. Who is to say when we have fought enough? . . . . War is a sad thing, after all. I pity the friends who stay at home to mourn, more than those who go to die. I am ready to die in this cause. From the first I gave myself wholly to it."

Sergeant Charles Brooks Brown, one of the most modest and high-minded of soldiers, writes from the hospital where he was lying ill: —

"I am sorry you think I have done my share in putting down the Rebellion. I do not. My experience up to this time has only served to make me anxious to conclude the war and to be in at the death. Do not imagine that I admire military service, or am at all fond of martial pomp. Far from it. But my entire sympathies are enlisted in putting down this Rebellion. It is the old conflict, — the Roundheads and the Cavaliers; and one or the other must succumb."

Thus hating war, these men were as good soldiers as the world ever knew. There is no need to say that they were brave. "Courage is a mere matter of course among any ordinarily well-born youths." But the spirit with which they turned from all that was alluring in peaceful life, and from the quiet pursuits to which they had given themselves, is the proof of a different sort of valor from the brutal bravery of unthinking youth, or from the courage which springs from the stout arm alone. Theirs was the courage of the valiant heart. They carried the virtues of pure households with them to the camp, and kept their souls as pure and their hearts as tender in the army as in their own homes. There was no Puritan stiffness or narrowness in their virtues, no pretence of piety, no rigor of asceticism in their lives; but if ever soldiers meant to be true and worthy men, tried to keep their lives stainless, to be kind and modest and pitiful and reverent, these were they.

"Manly and gentle, pure and noble-hearted," they were equal to the new and hard duties of their choice, and the same hand that could load the rifle or strike with the sword was ready, as soon as the battle was over, to write to the mother or the sister, or the beloved one, whose love made life precious, and the anticipation of whose sorrow sometimes made the thought of death bitter.

It may be fancied that these biographies, written by friends of the dead, are of the nature of eulogies. But this is not the case. No doubt there are some of them in which a too partial friendship has failed to draw clearly the less pleasing traits of personal character, or has hidden the faults which might have seemed to mar the foretokened excellence. There is no need to make excuse for this. But, in the main, these Harvard soldiers are their own biographers, and it is from themselves, or from eyewitnesses of their army life, that we learn their worth.

"Mr. Goodrich," wrote the lieutenant of his company, "has lived the life of a Christian from the day he enlisted to the day of his death."

Chaplain Twichell, writing of Colonel William Oliver Stevens, says, and his words are borne out by the record: —

"He lacked no quality requisite to the utmost success in the profession of arms. . . . . As a man, too, he was singularly free from faults. To his soldierly traits and accomplishments he added the rarer virtues of Christian morality. He was a steadfast example of modesty, purity, and temperance; yet, at the same time, his tent was one of the cheeriest places to spend an evening in that the army afforded, for he was the most genial entertainer, and knew the art of good-fellowship to perfection. His generosity and charity were of the kind that never faileth."

Colonel Shaw, whose own military life was an example of all that a soldier's life should be, wrote, after the death of his companion in arms, James Savage: —

"There is no life like the one we have been leading to show what a man is really made of; and Jim's true purity, conscientiousness, and manliness were well known to us all. The mere fact of having him among us did us all much good. . . . . Neither shall I ever forget the three weeks I lived in the same room with him at Frederick, when I learned how truly good a man can be. . . . . Out of his own family, there can be no more sincere mourning for his loss than in this regiment; and the best wish we can have for a friend is, that he may resemble James Savage."

But such extracts as these, however multiplied they may be, fail to convey the just impression of the characters recorded in these volumes. That impression is the result of the book taken as a whole; it is the summary of these hundred lives. The successive narratives are like portions of a connected story, each illustrating and illustrated by the rest; and it is not till one knows the meaning and worth of all that he can fully estimate and interpret any special life. The deepest interest that attaches to these volumes is not so much that which springs from the charm and beauty of individual biographies, as in the evidence which they give of a character common to all the lives included within them. The great library of American biography contains no volumes so instructive or so precious as these, as revealing the existence of a new type of character in the world. For the first time we find a sufficient number of instances to allow safe inductions to be drawn from them, of characters formed and lives led under the influences now at work in America. Our institutions are here manifested in their result

upon character. We see the pure product of America. These men are essentially Americans. And, inasmuch as most of these biographies are stories of the lives of very young men, we find in them not only the proof of what American manhood now is, but the indication of what it is to be, the manifestation of that ideal toward which it is rising, alike by unconscious growth and conscious effort. The biography of youth is always the story of the future, the record of promise which is yet to be fulfilled, the statement of the ideal of the age. We read in it of what the world is to become, as well as of what it is.

It is impossible to read these biographies without acquiring the conviction that the new order of social relations and of religious and political institutions which has gradually developed in America, has already resulted in the formation of a type of character such as has not been known before. The spirit of humanity and of equal rights, the absence of factitious class divisions, the freedom of mental action, the establishment of our political system upon a moral basis, by which each individual of the community is made to feel his responsibility as a member of the general political organization, the religious liberty, — all, in short, which constitutes the essential nature of our democratic commonwealth, all that gives us consciousness of a distinct moral nationality, is maturing a national character, the original and independent traits of which are delineated in these volumes as in no others. Till this generation, till within the past thirty years, we were for the most part provincial, colonial, rude, and unformed. Our ideas were a mingling of native and foreign, which we knew not well how to discriminate. We felt our actual dependence, our unrealized independence. We had the boastful self-confidence of youth, rather than the solid self-reliance of manhood. It is only within a few years that we have passed out of this stage of immaturity. There is still much that is raw, imperfect, and barbarous in our civilization; but the ideas and principles which inspire us as a nation have gradually been moulding us to their own likeness. We are getting rid of old-world things, and gradually becoming accustomed to the new. We are forming new creeds, new judgments, new manners; we are becoming a new race of men. We have become a new

nation, with a national character different from any that has heretofore existed.

And this fact, of such significance to ourselves, is of hardly less significance to other nations; for our character is formed under influences which are, in the future, to prevail more or less absolutely over the civilized world. We have reduced to practice here principles of universal application and of eternal validity, — principles whose nature it is to acquire perpetually increase of strength, and to compel opposing principles to unwilling and reluctant submission. These principles, though acknowledged by us, and accepted as the axioms of our religious, political, and social life, have by no means developed their full power. They are still resisted, and there is still a vigorous contest to be waged before they shall become supreme and unopposed in America. It was to maintain these distinctively American principles, in the sense that here for the first time they have been embodied in institutions and accepted as rules of national and individual action, — it was to maintain these that the North fought in the war of Rebellion; and the moral effect of these principles upon the American character is exhibited, not only in the manner in which the war was conducted to a successful issue, but also in the lives of the youths who went forth to battle from pure and happy homes, from the quiet paths of colleges, or the busy streets of cities. There was no need of long military or Spartan training to make these boys good soldiers; such principles as those in which they had been bred made them good men alike in war or in peace.

These volumes, then, have an importance and a worth beyond that which the nobility and loveliness of the special lives of the dead soldiers of Harvard give to them. They read to us what a future built by such men as these is to be. They confirm our faith in the principles under whose influence such characters were formed. Upon the foreheads of these youths shines the light of a happier day, and they lead the way rejoicing toward the kingdom of Heaven upon earth.

For in these men, in the type of character which they display, the qualities essential to the best manhood are embodied. The ideal of manhood, as represented here, is more complete and generous than any Greek or Roman ideal. No romantic

hero of mediæval chivalry — no Sir Lancelot or Sir Galahad, no St. Louis or Chevalier Bayard — affords so good an image of what a man should be, as that drawn from the lives of these average soldiers of our war. America may well be proud of these sons who died for her; for their lives and deaths prove that they were not only men stout of arm and heart, but truthful, pure, tender, considerate of others, faithful to duty; and their lives and deaths show what is now the ideal of American manhood.

ART. VII. — *A Brief Treatise upon Constitutional and Party Questions, and the History of Political Parties, as I received it orally from the late Senator Stephen A. Douglas of Illinois.* By J. MADISON CUTTS, Brevet Lieutenant-Colonel, U. S. A. New York: D. Appleton & Co. 12mo. pp. 221.

THE compiler or editor of this little book is the brother-in-law of the late Mr. Douglas, and explains in the Preface the character and authenticity of his work. "In the summer of 1859, Mr. Douglas remained in Washington; and as I was very desirous of receiving from him a statement of his own political faith, with the general views of a statesman upon constitutional, political, and party questions, I prepared, with his consent, a brief analysis of such subjects as I wished him to explain to me. We were in the habit of spending an hour together each evening, until all the questions I had proposed were answered." It is a work of no practical value. Its general historical information is vague and unsatisfactory; and its particular statements are often palpably untrue, as when, upon page 121, Mr. Douglas says that "nearly all the Republicans throughout the country went into its lodges," — meaning the ranks of the Know-Nothing party. This is a good illustration of the looseness with which Mr. Douglas was in the habit of stating facts. Thus, in his article upon the dividing line between federal and local authority, published in Harper's Magazine, which was an elaboration of all his speeches during the

Kansas debate, Mr. Douglas begins his history of the Jeffersonian plan by asserting that the territory which was ceded by Virginia on the 1st of March, 1784, was the first territory ever acquired by the United States. The truth is, that on the 29th of October, 1782, Congress accepted from New York her claim to Western territory. This is an unimportant fact, indeed, but it shows the inaccuracy of his statements. The graver errors of his account of the Jeffersonian plan reveal at least the gross ignorance of Mr. Douglas upon subjects upon which he was constantly dogmatizing. In the article of which we have spoken, he asserted distinctly that the prohibition of slavery after the year 1800 "never became a part of the Jeffersonian plan of government for the Territories, as adopted April 23, 1784." Now the facts are, that the anti-slavery proviso was supported by sixteen of the twenty-three members of Congress present on the 19th of April; but they were so divided as not to give the necessary majority of States, which was seven; and the proviso was defeated at that time. But it was readopted by the Congress of 1785, on the 16th of March, a fact which Mr. Douglas either did not know or which he conceals; while the Northwest Ordinance of 1787, which was unanimously adopted, renewed the anti-slavery proviso of the Jeffersonian plan for every Territory over which Congress then had control. The object of Mr. Douglas's representations was to prove that the question of slavery was left by the fathers to the decision of the settlers in the Territories. The truth was exactly the other way. Mr. Douglas's article was one of the futile efforts made in the last days of slavery to impose upon a presumed public ignorance of the history of the country, and to make it appear that the fathers of the Revolution were as indifferent as Mr. Douglas and his party to the rights of man.

Those who are really interested to know Mr. Douglas's views upon the great questions of his time will probably look elsewhere than in Lieutenant-Colonel Cutts's book to find them. But such persons are very few, and will be constantly fewer. We have lived so fast during the war, and have become so familiar with great principles and sturdy character, that, although Mr. Douglas died but five years ago, he seems to have been dead for half a century. His name is already merely a

partisan memory, and we can look at him now as he will appear in history. Indeed, every honorable and thoughtful American has been in a manner forced to do so by recent events. For when the President of the United States, accompanied by part of his Cabinet, and by General Grant and Admiral Farragut, makes a public pilgrimage through the country to the tomb of Douglas, praising him lavishly as he goes, when William Henry Seward speaks of Mr. Douglas as a man "to whom the nation and the world owe an irredeemable debt," it is quite time for every man who values morality and honesty to protest against so gross an insult to American manhood and to the fundamental principle of the American government. The only act of Mr. Douglas's political life which can be remembered with honor was his willingness to vindicate the authority of the government against the Rebellion. In consideration of that act, the country was content to leave his name to the charity of silence. But if his example is to be cited to young Americans of another generation as noble and praiseworthy, it would be treachery not to tell the truth, that he was a warning, not an example; and that nothing showed the moral prostitution and political peril of the country more plainly than that, just before the war, he was considered by many persons to be a true statesman; for, of all our noted politicans, Mr. Douglas was the one who had reduced immorality in politics to a science. This is the single point in his career to which we now wish to call attention.

A man of plausibility and adroitness, Mr. Douglas was totally destitute of deep convictions or of moral force. His attainments were superficial, and his methods of public persuasion and appeal utterly mean and unscrupulous. He had a certain popular attraction akin to that of a prize-fighter, which was favored even by his personal appearance; and he might well be called the Benicia Boy of American politics. But he was instinctively shunned by nobler minds, and was most distrusted by those who most truly understood our government and its principles, and who believed most in the people. His ambition was uncontrollable. He lived for political effect, and constantly in the public eye. Like all demagogues, he despised the people whom he flattered; and while in his speeches there

was a certain vulgar familiarity with the crowd, there was never a generous impulse, or heroic thought, or a profound and humane principle. His speeches were often skilfully sophistical, but there was never any gleam of humor in them, nor grace of fancy, nor touch of pathos. They were incredibly commonplace; and we doubt if a single sentence from one of them survives in any school-book of declamation, or lingers in one human memory. He confirmed no young man's faith; he cheered no old man's despondency. His name is identified with a political dodge, a trick, an intentional deception, which might consign a race to endless slavery and plunge the country into hopeless commotion, and welcome, provided it made him President.

In all that Mr. Douglas said and wrote, the only proposition which has even the appearance of a political principle is what was known as "squatter sovereignty," or, as he preferred to express it, "popular sovereignty." This was his last monstrous bid to the slave power for the Presidency in the repeal of the Missouri Compromise. It was the substance of his speeches in Congress from the time of that repeal to his death; and it was the staple of that famous political tournament between him and Mr. Lincoln for the Illinois Senatorship, in which the very worst sophistry that has ever endangered the American principle, embodied in its most plausible champion, went down before the wonderful strength and skill of that principle itself, embodied in its greatest and most characteristic representative which our history has produced. There is no chapter of our political history which at this time we should so warmly recommend to the young student as the report of this great debate. Nowhere else are the moral principles upon which this government was founded, and consciously founded, so plainly and sensibly and racily set forth. Mr. Lincoln dealt with his antagonist with a half-amused, half-contemptuous air, as if admiring his vigorous battle, while he utterly despises and abhors his cause. He crushes Douglas's most elaborate and ingenious sophistries by main moral force. He explodes with a joke his most insidious appeals to popular prejudice. The very audience which Douglas had inflamed by a specious sneer, Lincoln surprises into nobleness by a frank appeal to their manhood.

It is not the least of the services of Abraham Lincoln to his country and to mankind, that, before directing triumphantly the war against the spirit which would have overthrown the government by force, he had thoroughly exposed, in the sophistry of Douglas, the spirit which would have overthrown it by demoralizing the people. The Rebellion sought to dam the stream; Douglas, to poison its fountains. The Rebellion was the battery in the open field honestly bombarding; Douglas was Guy Fawkes in the cellar stealthily plotting a secret explosion. It is small praise to him who had for years and years stimulated the passions of the Southern oligarchy, — and who, according to General Quitman, declared in 1856, just before the meeting of the Presidential Convention of his party, that the South was too easily satisfied, — that, when he saw he could not turn those passions to his personal purpose, he vehemently opposed them. The man who, after encouraging the enemy to the utmost, and carrying them powder and ball, then, discovering that he is not to be made their commander, suddenly declares against them, may be entitled to silence, but surely not to praise. The consuming ambition of Mr. Douglas's life was the Presidency. To secure that result he had taken in the interest of the South the only ground upon which, as he knew, the Southern policy had any chance whatever of being sustained in the Free States. For taking that ground in its own service the South deserted him, and defeated forever the ambition of his whole career. Then it rebelled against the government, and it is hard to believe that, in springing to defend the government, Mr. Douglas did not taste the fierce joy of personal and political revenge.

Mr. Douglas's doctrine of squatter sovereignty was merely the bold assertion, that a majority of a certain class of the population, arbitrarily selected, may do exactly what they please with all the rights and liberties of the rest. "A political community," he said in substance, "we are all agreed, may rightfully govern itself. Now a Territory is a political community; let it therefore establish such institutions as it prefers. Certainly men who are properly voters in the various States in which they live do not lose their capacity by going to a Territory. If, therefore, in that Territory they wish to have com-

mon schools, very well; if not, not. If they wish to have slavery, very well; if not, not. We may not like it, but the majority of the people must decide. It is their affair, not ours."

But who are the people? That was a question he never pretended to answer, but which was vital to the whole discussion. He begged the entire debate by assuming that only white persons were people. "I admit," says Mr. Lincoln, "that the emigrant to Kansas and Nebraska is competent to govern himself; but I deny his right to govern any other person without that person's consent." And Mr. Douglas was silent.

But while the assertion was politically folly, it was morally criminal. Follow it to any logical result. "If the majority wish to legalize blood-revenge, very well; if not, not. If they choose to disfranchise all who are over thirty years of age, or who have aquiline noses, or red hair, very well; if not, not. If they choose to tolerate murder or to encourage falsehood, very well; if not, not. It is their affair, not ours. They are competent to decide for themselves." Now in a world where there were no such things as right and wrong, Mr. Douglas might have been a great statesman; but in this world no man and no body of men can have a right to do wrong. Any political community may decide whether the legal rate of interest shall be six or seven or eight per cent. It may decide what taxes it will levy for necessary purposes. But no sovereignty of all the people or of one man has the right to deprive a single innocent person of his eyesight, or of the honest wages of his labor, or of any other of his natural rights. The majority have indeed the *might* to do these things, but that is all. In speaking of Burke, Macaulay, who was certainly not a visionary political speculator, says that he did not deny that Parliament was legally competent to tax America, as it was legally competent to commit any other act of folly and wickedness, to attaint any man of high-treason without witnesses, or to confiscate all the property of all the India merchants. But from acts like these, he says, they are bound by every obligation of morality systematically to refrain. But Douglas could not plead the legal competence for his squatter sovereigns. His first step was a sheer assumption, and from that he gravely proceeded to confound might with right, insisting that morals had nothing to with politics.

In the whole of the Illinois discussion with Mr. Lincoln, Mr. Douglas had the air of a man who is at last found out. He had been the undisputed great man of the West, — the Little Giant of his party; and lo! here was a giant-killer. It was Captain MacHeath in the midst of his gayest and most audacious rogueries suddenly confronted with the officer of the law, infinitely cooler and cleverer than himself, and with all the majesty of the law upon his side. The Captain scoffs and sneers and patronizes and cajoles, but in vain. He runs and doubles and twists, but to elude the swiftness and force of his pursuer is hopeless. Stung with conscious defeat and exposure, he flings mud and filth of every kind, but equally in vain. Speaking in a part of Illinois in which the prejudice against negroes was most bitter, Mr. Douglas does not hesitate to insist, with coarse insinuation, that Mr. Lincoln must be an amalgamationist. Mr. Lincoln quietly replies: "I protest against the counterfeit logic which concludes that, because I do not want a black woman for a slave, I must necessarily want her for a wife. I need not have her for either. I can just leave her alone. In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands, without asking leave of any one else, she is my equal and the equal of all others." When the long debate between them ended, the glittering but preposterous sophism with which Douglas had dazzled the nation was ended also, and the whole country had been authoritatively recalled to the remembrance of the great truth, that our government rests upon a strictly moral basis, because it is founded upon a confession of the equal rights of man.

From this debate to the end of Mr. Douglas's life was but three years. Besotted with the fierce thirst for the Presidency, he went on uttering the most monstrous doctrines. In the resolution he introduced into the Senate, after the arrest of old John Brown, he betrayed the most daring disdain of the vital safeguards of the government. In his speeches in the Southwest, after his election as Senator over Mr. Lincoln, he outraged decency and common sense. He shouted that he did not care whether slavery were voted up or down. He affirmed that the white people of every State had a perfect right to en-

slave the colored part of its population or not, at its pleasure. He insisted that the fathers, in the Declaration of Independence, spoke and meant to speak of white people only, and white people of the Anglo-Saxon race; nor was he satisfied with that, but alleged that the equality spoken of was the equality of British subjects born and living in this country to British subjects born and living in Great Britain! He congratulated his hearers that the monstrous heresy of the incompatibility of a permanent continuance of Free and Slave States in one Union had been hurled back upon those who uttered it; and repeated the old folly of his speeches in Illinois, that "between the negro and the crocodile, he took the side of the negro; but between the negro and the white man, he would go for the white man." "But what, at last, is this proposition?" asked the remorseless Lincoln. "I believe it is a sort of proposition in proportion, which may be stated thus: As the negro is to the white man, so is the crocodile to the negro; and as the negro may rightfully treat the crocodile as a beast or reptile, so the white man may rightfully treat the negro as a beast or reptile."

But it was in vain that, after his election as Senator in 1858, Mr. Douglas made his most obsequious bow to the slave power at the South, and went haranguing the people from Cairo to New Orleans, saying with a smile, "Have slavery if you like it, my good friends; it is nobody's business but your own." The slave power, also, had found him out. The leaders of the oligarchy were terribly in earnest, and wise in their generation, and Mr. Douglas had sinned against slavery twice. First, he had not allowed it to go into the Territories, as of constitutional right; and secondly, he adopted, although for quite another purpose, the principle of the Republican party, which was perilous to slavery, that it was the creation of local and municipal law. This had, indeed, been the original plea of slavery, but it had changed its ground; for upon this plea it was condemned to a fair struggle with liberty, in which it was foredoomed. It now haughtily asserted its universal constitutional right. And this was essential; for, unless it could carry this concession, nothing but the sword remained. Mr. Douglas saw this, undoubtedly, as plainly as the Southern leaders; but he knew what they could not know, and would not know, that

the Free States could never be wheedled or blinded or bullied into such a position. He was entirely right in declaring that Mr. Buchanan's course in Kansas, and upon the whole subject of the nationalization of slavery, was fatal to the Democratic party; for it was open war upon the conscience, common sense, and self-interest of all the Free States. Mr. Douglas saw, and truly, that the sole hope of his party lay in his nomination, and he had certainly crawled low enough and long enough to earn it; but he did not seem to comprehend that the South, which was the inspiring force of the party, in adopting him, surrendered its ground of the constitutionality of slavery. Wiser than he, also, the Southern leaders fully understood the radical nature of the conflict. They knew that they could no longer rule the country through their party, and they were ready for the chances of civil war.

So his masters spurned him without pity. The very want of earnestness revealed by his reckless cry that he did n't care whether slavery were voted up or down, was sufficient reason for them to reject him; and utterly chagrined and enraged, he threw himself into the arena of the Presidential campaign of 1860 against them. He stumped the country, addressing acres and acres of people everywhere in the Free States, desperate, disappointed, embittered; counting upon his personal popularity, upon the national confusion, and upon the cowardice of the country. But, as always with a man who has no moral convictions, he had no perception of the true character of the people. Accustomed to appeal only to their basest passions and poorest prejudices, he knew nothing of the deeper and purer springs of popular action. In the tremendous contest of that year, Mr. Douglas represented nothing but his own ambition. Behind the words he passionately spoke, there was nothing but the unscrupulous career of a pettifogging politician. In his dire extremity there was no noble popular remembrance to succor him, no generous defence of imperilled right to shield him with its heavenly ray. The country was whirling onward to civil war, and he was tossed upon the wild current like a dried leaf upon Niagara. By day and by night he ranged through the land, offering it his stale and outworn trick as a panacea for the throes of birth and death with which it was convulsed.

The air rang with the stern battle-cry of the two great principles in conflict. "Slavery shall *not* go into the Territories," cried one. "Slavery shall go everywhere," cried the other. "Come, come, gentlemen, don't trouble yourselves about the nigger; let slavery take its chance," laughed he between. "The mills of God! beware! beware!" whispered in his ear the rousing conscience of the land. "The mills of God! There are no mills of God!" he cried;—and instantly he was caught up and ground to powder between the terrible mill-wheels of Liberty and Slavery.

This was the man who, while public sentiment was confused and the public conscience torpid, was accounted a statesman, but who, the instant that conscience awoke, shrivelled before its scorching inquisition, until now his name has no other significance than that of an unscrupulous and adroit politician. This was the man who trampled upon the fundamental principles of this government, and to whose grave the President of the United States makes a stumping pilgrimage. This is he to whom Mr. Seward declares that the nation and mankind owe an irredeemable debt, and of whom he affirms that he thinks "Stephen A. Douglas with Abraham Lincoln will live in the memory and homage of mankind equally with the Washingtons and Hamiltons of the Revolutionary age." Such words from such a man are inexpressibly mournful. For more fully than any other two men in this generation, Lincoln and Douglas illustrated in their lives and words and acts the two principles which have always contended and are still struggling for mastery in this country,—the despotism of caste and the principle of equal rights. Douglas said plainly: "The Declaration of Independence, when it declared that all men were created equal, had no reference to the negro; they were not talking of negroes nor thinking of them; they were speaking of white men,—men of European birth, European descent,—struggling for the rights of this continent against the tyranny attempted to be imposed upon them by the powers of the Old World. And hence they spoke of white men, that they were created equal, that is, equal to their brethren across the water." Lincoln said, with equal plainness, speaking of the framers of the Declaration: "In their enlightened belief nothing stamped with the Divine image and

likeness was sent into the world to be trodden on and degraded and imbruted by its fellows. They grasped not only the race of men then living, but they reached forward and seized upon the furthest posterity. They created a beacon to guide their children and their children's children, and the countless myriads who should inhabit the earth in other ages. Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants, and so they established these great, self-evident truths, that when in the distant future some man, some faction, some interest should set up the doctrine that none but rich men, or none but white men, or none but Anglo-Saxon white men were entitled to life, liberty, and the pursuit of happiness, their posterity might look up again to the Declaration of Independence, and take courage to renew the battle which their fathers began, so that truth and justice and mercy and all the humane and Christian virtues might not be extinguished from the land; so that no man could hereafter dare to limit and circumscribe the great principles on which the temple of Liberty was being built. . . . . You may do anything with me you choose, if you will but heed these sacred principles. You may not only defeat me for the Senate, but you may take me and put me to death. While pretending no indifference to earthly honors, I do claim to be actuated in this contest by something higher than an anxiety for office. I charge you to drop every paltry and insignificant thought for any man's success. It is nothing; I am nothing; Judge Douglas is nothing. But do not destroy that immortal emblem of humanity, — the Declaration of Independence."

We have a right to be both proud and glad of the fact — for it reveals the American people to themselves — that they chose the man who spoke these words to be their chief magistrate when the contending principles appealed to the sword; that they honor his memory with more tender reverence than any American was ever before honored; and that their present clear and firm and humane resolution to plant the government upon the truths of the Declaration of Independence shows that, though dead, he yet speaketh.

Art. VIII. — The Seward-Johnson Reaction.

The late Philadelphia experiment at making a party out of nullities reminds us of nothing so much as of the Irishman's undertaking to produce a very palatable soup out of no more costly material than a pebble. Of course he was to be furnished with a kettle as his field of operations, and after that he asked only for just the least bit of beef in the world to give his culinary miracle a flavor, and a pinch of salt by way of relish. As nothing could be more hollow and empty than the pretence on which the new movement was founded, nothing more coppery than the material of which it was mainly composed, we need look no further for the likeness of a kettle wherewith to justify our comparison; as for the stone, nothing could be more like that than the Northern disunion faction, which was to be the chief ingredient in the new-fangled pottage, and whose leading characteristic for the last five years has been a uniform alacrity in going under; the offices in the gift of the President might very well be reckoned on to supply the beef which should lead by their noses the weary expectants whose hunger might be too strong for their nicety of stomach; and the pinch of salt, — why could not that be found in the handful of Republicans who might be drawn over by love of notoriety, private disgusts, or that mixture of motives which has none of the substance of opinion, much less of the tenacity of principle, but which is largely operative in the action of illogical minds? But the people? Would they be likely to have their appetite aroused by the fumes of this thin decoction? Where a Chinaman is cook, one is apt to be a little suspicious; and if the Address in which the Convention advertised their ingenious mess had not a little in its verbiage to remind one of the flowery kingdom, there was something in that part of the assemblage which could claim any bygone merit of Republicanism calculated to stimulate rather than to allay any dreadful surmise of the sagacious rodent which our antipodes are said to find savory. And as for the people, it is a curious fact, that the party which has always been loudest to profess its faith in their capacity of self-govern-

ment has been the last to conceive it possible that they should apprehend a principle, arrive at a logical conclusion, or be influenced by any other than a mean motive. The *cordons bleus* of the political cooks at Philadelphia were men admirably adapted for the petty intrigues of a local caucus, but by defect of nature profoundly unconscious of that simple process of generalization from a few plain premises by which the popular mind is guided in times like these, and upon questions which appeal to the moral instincts of men.

The Convention was well managed, we freely admit, — and why not, when all those who were allowed to have any leading part in it belonged exclusively to that class of men who are known as party managers, and who, like the director of a theatre or a circus, look upon the mass of mankind as creatures to be influenced by a taking title, by amplitude of posters, and by a thrilling sensation or two, no matter how coarse? As for the title, nothing could be better than that of the "Devoted Unionists," — and were not the actors, no less than the scenery and decorations, for the most part entirely new, — at least in that particular play? Advertisement they did not lack, with the whole Democratic press and the Department of State at their service, not to speak of the real clown being allowed to exhibit himself at short intervals upon the highest platform in this or any other country. And if we ask for sensation, never were so many performers exhibited together in their grand act of riding two horses at once, or leaping through a hoop with nothing more substantial to resist them than the tissue-paper of former professions, nay, of recent pledges. And yet the skill of the managers had something greater still behind, in Massachusetts linked arm in arm with South Carolina. To be sure, a thoughtful mind might find something like a false syllogism in pairing off a Commonwealth whose greatest sin it has been to lead the van in freedom of opinion, and in those public methods of enlightenment which make it a safeguard of popular government, with an Oligarchy whose leadership has been in precisely the opposite direction, as if both had equally sinned against American ideas. But such incongruities are trifles no greater than those of costume so common on every stage; and perhaps the only person to be pitied in the exhibition was Governor Orr, who

had once uttered a hope that his own State might one day walk abreast with the daughter of Puritan forethought in the nobler procession of prosperous industry, and who must have felt a slight shock of surprise, if nothing more, at the form in which Massachusetts had chosen to incarnate herself on that particular occasion. We cannot congratulate the Convention on the name of its chairman, for there is something ominously suggestive in it. But, on the other hand, it is to be remembered that Mr. Doolittle has a remarkably powerful voice, which is certainly *one* element in the manufacture of sound opinions. A little too much latitude was allowed to Mr. Raymond in the Address, though on the whole perhaps it was prudent to make that document so long as to insure it against being read. In their treatment of Mr. Vallandigham the managers were prudent. He was allowed to appear just enough not quite to alienate his party, on whom the new movement counts largely for support, and just not enough to compromise the Convention with the new recruits it had made among those who would follow the name Conservative into anything short of downright anarchy. The Convention, it must be confessed, had a rather hard problem to solve,— nothing less than to make their patent reconciliation cement out of fire and gunpowder, both useful things in themselves, but liable in concert to bring about some odd results in the way of harmonious action. It is generally thought wiser to keep them apart, and accordingly Mr. Vallandigham was excluded from the Convention altogether, and the Southern delegates were not allowed any share in the Address or Resolutions. Indeed, as the Northern members were there to see what they could make, and the Southern to find out how much they could save, and whatever could be made or saved was to come out of the North, it was more prudent to leave all matters of policy in the hands of those who were supposed to understand best the weak side of the intended victim. The South was really playing the game, and is to have the lion's share of the winnings; but it is only as a disinterested bystander, who looks over the cards of one of the parties, and guides his confederate by hints so adroitly managed as not to alarm the pigeon. The Convention avoided the reef where the wreck of the Chicago lies bleaching; but we are not so

sure that they did not ground themselves fast upon the equally dangerous mud-bank that lies on the opposite side of the honest channel. At Chicago they were so precisely frank as to arouse indignation; at Philadelphia they are so careful of generalities that they make us doubtful, if not suspicious. Does the expectation or even the mere hope of pudding make the utterance as thick as if the mouth were already full of it? As to the greater part of the Resolutions, they were political truisms in which everybody would agree as so harmless that the Convention might almost as well have resolved the multiplication table article by article. The Address was far less explicit; and where there is so very much meal, it is, perhaps, not altogether uncharitable to suspect that there may be something under it. There is surely a suspicious bulge here and there, that has the look of the old Democratic cat. But, after all, of what consequence are the principles of the party, when President Johnson covers them all when he puts on his hat, and may change them between dinner and tea, as he has done several times already? The real principle of the party, its seminal and vital principle alike, is the power of the President, and its policy is every moment at the mercy of his discretion. That power has too often been the plaything of whim, and that discretion the victim of ill-temper or vanity, for us to have any other feeling left than regret for the one and distrust of the other.

The new party does not seem to have drawn to itself any great accession of strength from the Republican side, or indeed to have made many converts that were not already theirs in fact, though not in name. It was joined, of course, at once by the little platoon of gentlemen calling themselves, for some mystical reason, Conservatives, who have for some time been acting with the Democratic faction, carefully keeping their handkerchiefs to their noses all the while. But these involuntary Catos are sure, as if by instinct, to choose that side which is doomed not to please the gods, and their adhesion is as good as a warranty of defeat. During the President's progress they must often have been driven to their handkerchiefs again. It was a great blunder of Mr. Seward to allow him to assume the apostolate of the new creed in person, for every word he has uttered must have convinced many, even of those unwill-

ing to make the admission, that a doctrine could hardly be sound which had its origin and derives its power from a source so impure. For so much of Mr. Johnson's harangues as is not positively shocking, we know of no parallel so close as in his Imperial Majesty Kobes I.; —

> "Er rühmte dass er nie studirt
> Auf Universitäten
> Und Reden sprach aus sich selbst heraus,
> Ganz ohne Facultäten."

And when we consider his power of tears, when we remember Mr. Reverdy Johnson and Mr. Andrew Johnson confronting each other like two augurs, the one trying not to laugh while he saw the other trying to cry; when we recall the touching scene at Canandaigua, where the President was overpowered by hearing the pathetic announcement that Stephen A. Douglas had for two years attended the academy in what will doubtless henceforward be dubbed that "classic locality," we cannot help thinking of

> "In seinem schönen Auge glänzt
> Die Thräne, die stereotype."

Indeed, if the exhibition of himself were not so profoundly sad, when we think of the high place he occupies and the great man he succeeded in it, nothing could well be so comic as some of the incidents of Mr. Johnson's tour. No satirist could have conceived anything so bewitchingly absurd as the cheers which greeted the name of Simeon at the dinner in New York, whether we suppose the audience to have thought him some eminent member of their party of whom they had never heard, or whom they had forgotten as thoroughly as they had Mr. Douglas, or if we consider that they were involuntarily giving vent to their delight at the pleasing prospect opened by their "illustrious guest's" allusion to his speedy departure. Nor could anything have been imagined beforehand so ludicrously ominous as Mr. Seward's fears lest the platform should break down under them at Niagara. They were groundless fears, it is true, for the Johnson platform gave way irreparably on the 22d of February; but they at least luckily prevented Nicholas Bottom Cromwell from uttering his after-dinner threat against the people's immediate representatives,

against the very body whose vote supplies the funds of his party, and whose money it seems is constitutional, even if its own existence as a Congress be not. We pity Mr. Seward in his new office of bear-leader. How he must hate his Bruin when it turns out that his tricks do not even please the crowd!

But the ostensible object of this indecent orgy seems to us almost as discreditable as the purpose it veiled so thinly. Who was Stephen A. Douglas, that the President, with his Cabinet and the two highest officers of the army and navy, should add their official dignity to the raising of his monument, and make the whole country an accomplice in consecrating his memory? His name is not associated with a single measure of national importance, unless upon the wrong side. So far was he from being a statesman, that, even on the lower ground of politics, both his principles and his expression of them were tainted with the reek of vulgar associations. A man of naturally great abilities he certainly was, but wholly without that instinct for the higher atmosphere of thought or ethics which alone makes them of value to any but their possessor, and without which they are more often dangerous than serviceable to the commonwealth. He habitually courted those weaknesses in the people which tend to degrade them into a populace, instead of appealing to the virtues that grow by use, and whose mere acknowledgment in a man in some sort ennobles him. And by doing this he proved that he despised the very masses whose sweet breaths he wooed, and had no faith in the system under which alone such a one as he could have been able to climb so high. He never deserted the South to take side with the country till the South had both betrayed and deserted him. If such a man were the fairest outcome of Democracy, then is it indeed a wretched failure. But for the factitious importance given to his name by the necessity of furnishing the President with a pretext for stumping the West in the interest of Congress, Mr. Douglas would be wellnigh as utterly forgotten as Cass or Tyler, or Buchanan or Fillmore; nor should we have alluded to him now but that the recent pilgrimage has made his name once more public property, and because we think it a common misfortune when such men are made into saints, though for any one's advantage but their own. We

certainly have no wish to play the part of *advocatus diaboli* on such an occasion, even were it necessary at a canonization where the office of Pontifex Maximus is so appropriately filled by Mr. Johnson.

In speaking of the late unhappy exposure of the unseemly side of democratic institutions, we have been far from desirous of insisting on Mr. Seward's share in it. We endeavored to account for it at first by supposing that the Secretary of State, seeing into the hands of how vain and weak a man the reins of administration had fallen, was willing, by flattering his vanity, to control his weakness for the public good. But we are forced against our will to give up any such theory, and to confess that Mr. Seward's nature has been "subdued to what it works in." We see it with sincere sorrow, and are far from adding our voice to the popular outcry against a man the long and honorable services of whose prime we are not willing to forget in the decline of his abilities and that dry-rot of the mind's nobler temper which so often results from the possession of power. Long contact with the meaner qualities of men, to whose infection place and patronage are so unhappily exposed, could not fail of forcing to a disproportionate growth any germs of that cynicism always latent in temperaments so exclusively intellectual and unmitigated by any kindly lenitive of humor. Timid by nature, the war which he had prophesied, but had not foreseen, and which invigorated bolder men, unbraced him; and while the spendthrift verbosity of his despatches was the nightmare of foreign ministries, his uncertain and temporizing counsels were the perpetual discouragement of his party at home. More than any minister with whose official correspondence we are acquainted, he carried the principle of paper money into diplomacy, and bewildered Earl Russell and M. Drouyn de Lhuys with a horrible doubt as to the real value of the verbal currency they were obliged to receive. But, unfortunately, his own countrymen were also unprovided with a price-current of the latest quotation in phrases, and the same gift of groping and inconclusive generalities which perhaps was useful as a bewilderment to would-be hostile governments abroad was often equally effective in disheartening the defenders of nationality at home. We cannot join with those who

accuse Mr. Seward of betraying his party, for we think ourselves justified by recent events in believing that he has always looked upon parties as the mere ladders of ambitious men; and when his own broke under him at Chicago in 1860, he forthwith began to cast about for another, the rounds of which might be firmer under his feet. He is not the first, and we fear will not be the last, of our public men who have thought to climb into the White House by a back window, and have come ignominiously to the ground in attempting it. Mr. Seward's view of the matter probably is that the Republican party deserted him six years ago, and that he was thus absolved of all obligations to it. But might there not have been such a thing as fidelity to its principles? Or was Mr. Seward drawn insensibly into the acceptance of them by the drift of political necessity, and did he take them up as if they were but the hand that had been dealt him in the game, not from any conviction of their moral permanence and power, perhaps with no perception of it, but from a mere intellectual persuasion of the use that might be made of them politically and for the nonce by a skilful gamester? We should be very unwilling to admit such a theory of his character; but surely what we have just seen would seem to justify it, for we can hardly conceive that any one should suddenly descend from real statesmanship to the use of such catch-rabble devices as those with which he has lately disgusted the country. A small politician cannot be made out of a great statesman, for there is an oppugnancy of nature between the two things, and we may fairly suspect the former winnings of a man who has been once caught with loaded dice in his pocket. However firm may be Mr. Seward's faith in the new doctrine of Johnsonian infallibility, surely he need not have made himself a partner in its vulgarity. And yet he has attempted to vie with the Jack-pudding tricks of the unrivalled performer whose man-of-business he is, in attempting a *popularity* (we must coin a new word for a new thing) for which he was exquisitely unfitted. What more stiffly awkward than his essays at easy familiarity? What more painfully remote from drollery than his efforts to be droll? In the case of a man who descends so far as Mr. Seward, such feats can be characterized by no other word so aptly as by tumbling. The

thing would be sad enough in any prominent man, but in him it becomes a public shame, for in the eyes of the world it is the nation that tumbles in its Prime Minister. The Secretary of State's place may be dependent on the President, but the dignity of it belongs to the country, and neither of them has any right to trifle with it. Mr. Seward might stand on his head in front of what Jenkins calls his "park gate," at Auburn, and we should be the last to question his perfect right as a private citizen to amuse himself in his own way, but in a great officer of the government such pranks are no longer harmless. They are a national scandal, and not merely so, but a national detriment, inasmuch as they serve to foster in foreign statesmen a profound misapprehension of the American people and of the motives which influence them in questions of public policy. Never was so great a wrong done to democracy, nor so great an insult offered to it, as in this professional circuit of the presidential Punch and his ministerial showman.

Fortunately, the exhibitions of this unlucky pair, and their passing round the hat without catching even the greasy pence they courted, have very little to do with the great question to be decided at the next elections, except in so far as we may be justified in suspecting their purity of motive who could consent to such impurity of means, and the soundness of their judgment in great things who in small ones show such want of sagacity. The crowds they have drawn are no index of popular approval. We remember seeing the prodigious nose of Mr. Tyler (for the person behind it had been added by nature merely as the handle to so fine a hatchet) drawn by six white horses through the streets, and followed by an eager multitude, nine tenths of whom thought the man belonging to it a traitor to the party which had chosen him. But then the effigy at least of a grandiose, if not a great man, sat beside him, and the display was saved from contempt by the massive shape of Webster, beneath which he showed like a swallow against a thunder-cloud. Even Mr. Fillmore, to whom the Fugitive-Slave Law denies the complete boon of an otherwise justly earned oblivion, had some dignity given to his administration by the presence of Everett. But in this late advertising-tour of a policy in want of a party, Cleon and Agoracritus seem to

have joined partnership, and the manners of the man match those of the master. Mr. Johnson cannot so much as hope for the success in escaping memory achieved by the last of those small Virginians whom the traditionary fame of a State once fertile in statesmen lifted to four years of imperial pillory where his own littleness seemed to heighten rather than lower the grandeur of his station; his name will not be associated with the accomplishment of a great wrong against humanity, let us hope not with the futile attempt at one; but he will be indignantly remembered as the first, and we trust the last, of our chief magistrates who believed in the brutality of the people, and gave to the White House the ill-savor of a corner-grocery. *He* a tribune of the people? A lord of misrule, an abbot of unreason, much rather!

No one can object more strongly than we to the mixing of politics with personal character; but they are here inextricably entangled together, and we hold it to be the duty of every journal in the country to join in condemning a spectacle which silence might seem to justify as a common event in our politics. We turn gladly from the vulgarity of the President and his minister to consider the force of their arguments. Mr. Johnson seems to claim that he has not betrayed the trust to which he was elected, mainly because the Union party have always affirmed that the rebellious States could not secede, and therefore *ex vi termini* are still in the Union. The corollary drawn from this is, that they have therefore a manifest right to immediate representation in Congress. What we have always understood the Union party as meaning to affirm was, that a State had no *right* to secede; and it was upon that question, which is a very different thing from the other, that the whole controversy hinged. To assert that a State or States *could* not secede, if they were strong enough, would be an absurdity. In point of fact, all but three of the Slave States did secede, and for four years it would have been treason throughout their whole territory, and death on the nearest tree, to assert the contrary. The law forbids a man to steal, but he may steal nevertheless, and then, if he had Mr. Johnson's power as a logician, he might claim to escape all penalty by pleading that when the law said *should not* it meant *could*

not, and therefore he *had not*. If a four years' war, if a half-million lives, and if a debt which is counted by the thousand million are not satisfactory proofs that somebody did contrive to secede practically, whatever the theoretic right may have been, then nothing that ought not to be done ever has been done. We do not, however, consider the question as to whether the Rebel States were constitutionally, or in the opinion of any political organization, out of the Union or not, as of the least practical importance; for we have never known an instance in which any party has retreated into the thickets and swamps of constitutional interpretation, where it had the least chance of maintaining its ground in the open field of common sense or against the pressure of popular will. The practical fact is, that the will of the majority, or the national necessity for the time being, has always been constitutional; which is only as much as to say that the Convention of 1787 was not wholly made up of inspired prophets, who could provide beforehand for every possible contingency. The doctrine of a strict and even pettifogging interpretation of the Constitution had its rise among men who looked upon that instrument as a treaty, and at a time when the conception of a national power which should receive that of the States into its stream as tributary was something which had entered the head of only here and there a dreamer. The theorists of the Virginia school would have dammed up and diverted the force of each State into a narrow channel of its own, with its little saw-mill and its little grist-mill for local needs, instead of letting it follow the slopes of the continental water-shed to swell the volume of one great current ample for the larger uses and needful for the higher civilization of all. That there should always be a school who interpret the Constitution by its letter is a good thing, as interposing a check to hasty or partial action, and gaining time for ample discussion; but that in the end we should be governed by its spirit, living and operative in the energies of an advancing people, is a still better thing; since the levels and shore-lines of politics are no more stationary than those of continents, and the ship of state would in time be left aground far inland, to long in vain for that open sea which is the only pathway to fortune and to glory.

Equally idle with the claim that the Union party is foreclosed from now dealing with the Rebel States as seceded, because four years ago it declared that they had no right to secede, is the assertion that the object of the war was proclaimed to be for the restoration of the Union and the Constitution as they were. Even were we to admit that 1861 is the same thing as 1866, the question comes back again to precisely the point that is at issue between the President and Congress, namely, what is the wisest way of restoring the Union, for which both profess themselves equally anxious. As for the Constitution, we cannot have that as it was, but only as its framers hoped it would be, with its one weak and wicked element excluded. But as to Union, are we in favor of a Union in form or in fact? of a Union on the map and in our national style merely, or one of ideas, interests, and aspirations? If we cannot have the latter, the former is a delusion and a snare; and the strength of the nation would be continually called away from prosperous toil to be wasted in holding a wolf by the ears, which would still be a wolf, and known by all our enemies for such, though we called Heaven and earth to witness, in no matter how many messages or resolves, that the innocent creature was a lamb. That somebody has a right to dictate some kind of terms is admitted by Mr. Johnson's own repeated action in the matter; but who that somebody should be, whether a single man, of whose discretion even his own partisans are daily becoming more doubtful, or the immediate representatives of that large majority of the States and of the people who for the last five years have been forced against their will to represent and to be the United States, is certainly too grave an affair to be settled by that single man himself.

We have seen to what extremes the party calling itself Conservative has hinted its willingness to go, under the plea of restored Union, but with the object of regained power. At Philadelphia, they went as far as they publicly dared in insinuating that the South would be justified in another rebellion, and their journals have more than once prompted the President to violent measures, which would as certainly be his ruin as they would lead to incalculable public disaster. The President himself has openly announced something like a design of

forcibly suppressing a Congress elected by the same votes and secured by the same guaranties that elected him to his place and secure him in it, — a Congress whose validity he has acknowledged by sending in his messages to it, by signing its bills, and by drawing his pay under its vote; and yet thinking men are not to be allowed to doubt the propriety of leaving the gravest measure that ever yet came up for settlement by the country to a party and a man so reckless as these have shown themselves to be. Mr. Johnson talks of the danger of centralization, and repeats the old despotic fallacy of many tyrants being worse than one, — a fallacy originally invented, and ever since repeated, as a slur upon democracy, but which is a palpable absurdity when the people who are to be tyrannized over have the right of displacing their tyrants every two years. The true many-headed tyrant is the Mob, that part of the deliberative body of a nation which Mr. Johnson, with his Southern notions of popular government, has been vainly seeking, that he might pay court to it, from the seaboard to St. Louis, but which hardly exists, we are thankful to say, as a constituent body, in any part of the Northern States outside the city of New York.

Mr. Seward, with that playfulness which sits upon him so gracefully, and which draws its resources from a reading so extensive that not even "John Gilpin" has escaped its research, puts his argument to the people in a form where the Socratic and arithmetic methods are neatly combined, and asks, "How many States are there in the Union?" He himself answers his own question for an audience among whom it might have been difficult to find any political adherent capable of so arduous a solution, by asking another, "Thirty-six?" Then he goes on to say that there is a certain party which insists that the number shall be less by ten, and ends by the clincher, "Now how many stars do you wish to see in your flag?" The result of some of Mr. Johnson's harangues was so often a personal collision, in which the more ardent on both sides had an opportunity to see any number of new constellations, that this astronomical view of the case must have struck the audience rather by its pertinence than its novelty. But in the argument of the Secretary, as in that of the President, there

is a manifest confusion of logic, and something very like a *petitio principii*. We might answer Mr. Seward's question with, "As many fixed stars as you please, but no more shooting stars with any consent of ours." But really this matter is of more interest to heralds of arms than to practical men. The difference between Congress and the President is not, as Mr. Seward would insinuate, that Congress or anybody else wishes to keep the ten States out, but that the Radical party (we cheerfully accept our share in the opprobrium of the name) insists that they shall come in on a footing of perfect equality with the rest; while the President would reward them for rebellion by giving them an additional weight of nearly one half in the national councils. The cry of "Taxation without representation" is foolish enough as raised by the Philadelphia Convention, for do we not tax every foreigner that comes to us while he is in process of becoming a citizen and a voter? But under the Johnsonian theory of reconstruction, we shall leave a population which is now four millions not only taxed without representation, but doomed to be so forever without any reasonable hope of relief. The true point is not as to the abstract merits of universal suffrage, (though we believe it the only way toward an enlightened democracy and the only safeguard of popular government,) but as to whether we shall leave the freedmen without the only adequate means of self-defence. And however it may be now, the twenty-six States certainly *were* the Union when they accepted the aid of these people and pledged the faith of the government to their protection. Jamaica, at the end of nearly thirty years since emancipation, shows us how competent former masters are to accomplish the elevation of their liberated slaves, even though their own interests would prompt them to it. Surely it is a strange plea to be effective in a democratic country, that we owe these people nothing because they cannot help themselves; as if governments were instituted for the care of the strong only. The argument against their voting which is based upon their ignorance strikes us oddly in the mouths of those whose own hope of votes lies in the ignorance, or, what is often worse, the prejudice of the voters. Besides, we do not demand that the seceding States should at once confer the right of suffrage on the blacks, but

only that they should give them the same chance to attain it, and the same inducement to make themselves worthy of it, as to every one else. The answer that they have not the right in some of the Northern States may be a reproach to the intelligence of those States, but has no relevancy if made to the general government. It is not with these States that we are making terms or claim any right to make them, nor is the number of their non-voting population so large as to make them dangerous, or the prejudice against them so great that it may not safely be left to time and common sense. It was not till all men were made equal before the law, and the fact recognized that government is something that does not merely preside over, but reside in, the rights of all, that even white peasants were enabled to rise out of their degradation and to become the strength instead of the danger of France. Nothing short of such a reform could have conquered the contempt and aversion with which the higher classes looked upon the emancipated serf. Norman-French literature reeks with the outbreak of this feeling toward the ancestors, whether Jews or villeins, of the very men who are now the aristocracy of South Carolina, — a feeling as intense, as nauseous in its expression, and as utterly groundless, as that against the negro now. We are apt, it would seem, a little to confound the meaning of the two terms *government* and *self-government*, and the principles on which they respectively rest. If the latter has its rights, the former has quite as plainly its duties; and one of them certainly is to see that no freedom should be allowed to the parts which would endanger the safety of the whole. An occasion calling for the exercise of this duty is forced upon us now, and we must be equal to it. Self-government, in any rightful definition of it, can hardly be stretched so far that it will cover, as the late Rebels and their Northern advocates contend, the right to dispose absolutely of the destinies of four millions of people, the allies and hearty friends of the United States, without allowing them any voice in the matter.

It is alleged by reckless party orators, that those who ask for guaranties before readmitting the seceded States wish to treat them with harshness, if not with cruelty. Mr. Thaddeus Ste-

vens is triumphantly quoted, as if his foolish violence fairly represented the political opinions of the Union party. They might as well be made responsible for his notions of finance. We are quite willing to let Mr. Stevens be paired off with Mr. Vallandigham, and to believe that neither is a fair exponent of the average sentiment of his party. Calling names should be left to children, with whom, as with too large a class of our political speakers, it seems to pass for argument. We believe it never does so with the people; certainly not with the intelligent, who make a majority among them, unless (as in the case of "Copperhead") there be one of those hardly-to-be-defined realities behind the name which they are so quick to detect. We cannot say that we have any great sympathy for the particular form of mildness which discovers either a "martyr" or a "pure-hearted patriot," or even a "lofty statesman," in Mr. Jefferson Davis, the latter qualification of him having been among the discoveries of the London Times when it thought his side was going to win; but we can say that nothing has surprised us more, or seemed to us a more striking evidence of the humanizing influence of democracy, than the entire absence of any temper that could be called revengeful in the people of the North toward their late enemies. If it be a part of that inconsistent mixture of purely personal motives and more than legitimate executive action which Mr. Johnson is pleased to call his "policy," — if it be a part of that to treat the South with all the leniency that is short of folly and all the conciliation that is short of meanness, then we were advocates of it before Mr. Johnson. While he was yet only ruminating in his vindictive mind, sore with such rancor as none but a "plebeian," as he used to call himself, can feel against his social superiors, the only really agrarian proclamation ever put forth by any legitimate ruler, and which was countersigned by the now suddenly "conservative" Secretary of State, we were in favor of measures that should look to governing the South by such means as the South itself afforded, or could be made to afford. It is true that, as a part of the South, we reckoned the colored people bound to us by every tie of honor, justice, and principle, but we never wished to wink out of sight the natural feelings of men suddenly deprived of what they conceived to be their property,

—of men, too, whom we respected for their courage and endurance even in a bad cause. But we believed then, as we believe now, and as events have justified us in believing, that there could be no graver error than to flatter our own feebleness and uncertainty by calling it magnanimity, a virtue which does not scorn the society of patience and prudence, but which cannot subsist apart from courage and fidelity to principle. A people so boyish and conceited as the Southerners have always shown themselves to be, unwilling ever to deal with facts, but only with their own imagination of them, would be sure to interpret indecision as cowardice, if not as an unwilling tribute to that superiority of which men who really possess it are the last to boast. They have learned nothing from the war but to hate the men who subdued them, and to misinterpret and misrepresent the causes of their subduing; and even now, when a feeling has been steadily growing in the rest of the country for the last nine months deeper and more intense than any during the war, because mixed with an angry sense of unexpected and treacherous disappointment, instead of setting their strength to the rebuilding of their shattered social fabric, they are waiting, as they waited four years ago, for a division in the North which will never come, and hailing in Andrew Johnson a scourge of God who is to avenge them in the desolation of our cities! Is it not time that these men were transplanted at least into the nineteenth century, and, if they cannot be suddenly Americanized, made to understand something of the country which was too good for them, even though at the cost of a rude shock to their childish self-conceit? Is that a properly reconstructed Union in the Southern half of which no Northern man's life is safe except at the sacrifice of his conscience, his freedom of speech, of everything but his love of money? To our minds the providential purpose of this intervention of Mr. Johnson in our affairs is to warn us of the solemn duty that lies upon us in this single crisis in our history when the chance is offered us of stamping our future with greatness or contempt, and which requires something like statesmanship in the people themselves, as well as in those who act for them. The South insisted upon war, and has had enough of it; it is now our turn to insist that the peace we

have conquered shall be so settled as to make war impossible for the future.

But how is this to be done? The road to it is a very plain one. We shall gain all we want if we make the South really prosperous; for with prosperity will come roads, schools, churches, printing-presses, industry, thrift, intelligence, and security of life and property. Hitherto the prosperity of the South has been factitious; it has been a prosperity of the Middle Ages, keeping the many poor that a few might show their wealth in the barbarism of showy equipages and numerous servants, and spend in foreign cities the wealth that should have built up civilization and made way for refinement at home. There were no public libraries, no colleges worthy of the name; there was no art, no science, still worse, no literature but Simmes's; — there was no desire for them. We do not say it in reproach, we are simply stating a fact, and are quite aware that the North is far behind Europe in these things. But we are not behind her in the value we set upon them, are even before her in the price we are willing to pay for them, and are in the way to get them. The South was not in that way, could not get into it, indeed, so long as the labor that made wealth was cut off from any interest in its expenditure, nor had any goal for such hopes as soared away from the dreary level of its lifelong drudgery but in the grave and the world beyond it. We are not blind to what may be said on the other side, nor to that fatal picturesqueness so attractive to sentimental minds, and so melancholy to thoughtful ones, which threw a charm over certain exceptional modes of Southern life among the older families in Virginia and South Carolina. But there are higher and manlier kinds of beauty, — barer and sterner some would call them, — with less softly rounded edges, certainly, than the Wolf's Crag picturesqueness which carries the mind with pensive indolence toward the past, instead of stirring it with a sense of present life, or bracing it with the hope of future opportunity, and which veils at once and betrays the decay of ancient civilizations. Unless life is arranged for the mere benefit of the novelist, what right had these bits of last-century Europe here? Even the virtues of the South were some of them anachronisms; and even those

that were not existed side by side with an obtuseness of moral sense that could make a hero of Semmes, and a barbarism that could starve prisoners by the thousand.

Some philosophers, to be sure, plead with us that the Southerners are remarkable for their smaller hands and feet, though so good an observer as Thackeray pronounced this to be true of the whole American people; but really we cannot think such arguments as this will give any pause to the inevitable advance of that democracy, somewhat rude and raw as yet, a clumsy boy-giant, and not too well-mannered, whose office it nevertheless is to make the world ready for the true second coming of Christ in the practical supremacy of his doctrine, and its incarnation, after so many centuries of burial, in the daily lives of men. We have been but dimly, if at all, conscious of the greatness of our errand, while we have already accomplished a part of it in bringing together the people of all nations to see each other no longer as aliens or enemies, but as equal partakers of the highest earthly dignity, — a common manhood. We have been forced, whether we would or no, first to endure, then to tolerate, and at last to like men from all the four corners of the world, and to see that each added a certain virtue of his own to that precious amalgam of which we are in due time to fashion a great nation. We are now brought face to face with our duty toward one of those dusky races that have long sat in the shadow of the world; we are to be taught to see the Christ disguised also in these, and to find at last that a part of our salvation is inextricably knit up with the necessity of doing them justice and leading them to the light. This is no sentimental fancy; it is written in plain characters upon the very surface of things. We have done everything to get rid of the negro; and the more we did, the more he was thrust upon us in every possible relation of life and aspect of thought. One thing we have not tried, — a spell before which he would vanish away from us at once, by taking quietly the place, whatever it be, to which Nature has assigned him. We have not acknowledged him as our brother. Till we have done so he will be always at our elbow, a perpetual discomfort to himself and us. Now this one thing that will give us rest is precisely what the South, if we leave the work of reconstruction in their

hands, will make it impossible for us to do; and yet it must be done ere America can penetrate the Southern States. It is for this reason, and not with any desire of establishing a standing garrison of four hundred thousand loyal voters in the South, that we insist on the absolute necessity of justice to the black man. Not that we have not a perfect right to demand the reception of such a garrison, but we wish the South to govern itself; and this it will never be able to do, it will be governed as heretofore by its circumstances, if we allow it to replace slavery by the disenfranchisement of color, and to make an Ireland out of what should be the most productive, populous, and happy part of the Union. We may evade this manifest duty of ours from indolence, or indifference, or selfish haste; but if there is one truth truer than another, it is that no man or nation ever neglected a duty that was not sooner or later laid upon them in a heavier form, to be done at a dearer rate. Neither man nor nation can find rest short of their highest convictions.

This is something that altogether transcends any partisan politics. It is of comparatively little consequence to us whether Congress or the President carry the day, provided only that America triumph. That is, after all, the real question. On which side is the future of the country, — the future that we cannot escape if we would, but which our action may embarrass and retard? If we had looked upon the war as a mere trial of physical strength between two rival sections of the country, we should have been the first to oppose it, as a wicked waste of treasure and blood. But it was something much deeper than this, and so the people of the North instinctively recognized it to be from the first; instinctively we say, and not deliberately at first; but before it was over, their understandings had grasped its true meaning, as an effort of the ideal America, which was to them half a dream and half a reality, to cast off an alien element. It was this ideal something, not the less strongly felt because vaguely defined, that made them eager, as only what is above sordid motives can, to sacrifice all that they had and all that they were rather than fail in its attainment. And it is to men not yet cooled from the white-heat of this passionate mood that Mr. Johnson comes with his paltry

offer of "my policy," in exchange for the logical consequences of all this devotion and this sacrifice. What is any one man's policy, and especially any one weak man's policy, against the settled drift of a nation's conviction, conscience, and instinct? The American people had made up not only their minds, but their hearts, and no man who knows anything of human nature could doubt what their decision would be. They wanted only a sufficient obstacle to awaken them to a full consciousness of what was at stake, and that obstacle the obstinate vanity of the President and the blindness or resentment of his prime minister have supplied. They are fully resolved to have the great stake they played for and won, and that stake was the Americanization of all America, nothing more and nothing less. Mr. Johnson told us in New York, with so profound a misconception of the feeling of the Northern States as was only possible to a vulgar mind, and that mind a Southern one, that the South had set up slavery as its stake, and lost, and that now the North was in danger of losing the stake it had risked on reconstruction in the national debt. Mr. Johnson is still, it would seem, under that delusion which led the South into the war; namely, that it was that section of the country which was the chief element in its wealth and greatness. But no Northern man, who, so long as he lives, will be obliged to pay his fine of taxes for the abolition of slavery which was forced upon us by the South, is likely to think it very hard that the South should be compelled to furnish its share toward the common burden, or will be afraid that the loyal States, whose urgent demands compelled a timid Congress at last to impose direct taxes, will be unable to meet their obligations in the future, as in the past.

We say again, that the questions before the country are not to be decided on any grounds of personal prejudice or partiality. We are far from thinking that Congress has in all respects acted as became the dignity of its position, or seized all the advantage of the opportunity. They have seemed to us sometimes afraid of coming before the people with a direct, frank, and simple statement of what was not only the best thing that could be done, but the one thing that must be done. They were afraid of the people, and did not count securely, as

they should have done, on that precious seeing which four years of gradually wakening moral sense had lent to the people's eyes. They should not have shrunk from taking upon themselves and their party all the odium of being in the right, of being on the side of justice, humanity, and of the America which is yet to be, whoever may fear to help and whoever may try to hinder. The vulgar cry would be against them at any rate, and they might reckon on being accused of principles which they thought it prudent to conceal, whether they committed their party to them or not. With those who have the strong side, as they always do who have conscience for an ally, a bold policy is the only prosperous one. It is always wisest to accept in advance all the logical consequences that can be drawn from the principles we profess, and to make a stand on the extremest limits of our position. It will be time enough to fall back when we are driven out. In taking a half-way position at first, we expose ourselves to all the disadvantage and discouragement of seeming to fight on a retreat, and cut ourselves off from our supplies. For the supplies of a party which is contending for a clear principle, and not for its own immediate success, are always drawn from the highest moral ground included in its lines. We are not speaking here of abstractions or wire-drawn corollaries, but of those plain ethical axioms which every man may apprehend, and which are so closely involved in the question now before the country for decision. We at least could lose nothing by letting the people know exactly what we meant; for we meant nothing that could not claim the suffrage of sincere democracy, of prudent statesmanship, or of jealousy for the nation's honor and safety. That the Republican party should be broken up is of comparatively little consequence; for it would be merged in the stronger party of those who are resolved that no by-questions, no fallacies of generosity to the vanquished, shall turn it aside from the one fixed purpose it has at heart, that the war shall not have been in vain, and that the Rebel States, when they return to the Union, shall return to it as an addition of power, and under such terms as that they *must*, and not merely *may*, be fixed there. Let us call things by their right names, and keep clearly in view both the nature of the thing vanquished

and of the war in which we were victors. When men talk of generosity toward a suppliant foe, they entirely forget what that foe really was. To the people of the South no one thinks of being unmerciful. But they were only the blind force wielded by our real enemy, — an enemy, prophesy what smooth things you will, with whom we can never be reconciled and whom it would be madness to spare. And this enemy was not any body of kindred people, but that principle of evil fatally repugnant to our institutions, which, flinging away the hilt of its broken weapon, is now cheating itself with the hope that it can forge a new one of the soft and treacherous metal of Northern disloyalty. The war can in no respect be called a civil war, though that was what the South, in its rash ignorance, threatened the North with. It was as much a war between two different nations, and the geographical line was as distinctly drawn between them, as in the late war between North and South Germany. They had been living, it is true, under the same government, but the South regarded this as implying no tie more intimate than that which brought the representatives of Prussia and Austria together in the Frankfort Diet. We have the same right to impose terms and to demand guaranties that Prussia has, that the victor always has.

Many people are led to favor Mr. Johnson's policy because they dislike those whom they please to call the "Republican leaders." If ever a party existed that had no recognized leaders, it is the Republican party. Composed for the last five years at least of men who, themselves professing all shades of opinion, were agreed only in a determination to sustain the honor and preserve the existence of the nation, it has been rather a majority than a party, employing the legislative machine to carry out the purposes of public opinion. The people were the true inspirers of all its measures, and accordingly it was left without a definite policy the moment the mere politicians in its ranks became doubtful as to what direction the popular mind would take. It had no recognized leader either in the House or Senate just at the time when it first stood in need of such. The majority of its representatives there tried in vain to cast any political horoscope by which it would be safe for them individually to be guided. They showed the same dis-

trust of the sound judgment of the people and their power to grasp principles that they showed at the beginning of the war, and at every discouraging moment while it was going on. Now that the signs of the times show unmistakably to what the popular mind is making itself up, they have once more a policy, if we may call that so which is only a calculation of what it would be "safe to go before the people with," as they call it. It is always safe to go before them with plain principles of right, and with the conclusions that must be drawn from them by common sense, though this is what too many of our public men can never understand. Now joining a Know-Nothing "lodge," now hanging on the outskirts of a Fenian "circle," they mistake the momentary eddies of popular whimsy for the great current that sets always strongly in one direction through the life and history of the nation. Is it, as foreigners assert, the fatal defect of our system to fill our highest offices with men whose views in politics are bounded by the next district election? When we consider how noble the science is, — nobler even than astronomy, for it deals with the mutual repulsions and attractions, not of inert masses, but of bodies endowed with thought and will, calculates moral forces, and reckons the orbits of God's purposes toward mankind, — we feel sure that it is to find nobler teachers and students, and to find them even here.

There is another class of men who are honestly drawn toward the policy of what we are fain, for want of a more definite name, to call the Presidential Opposition party, by their approval of the lenient measures which they suppose to be peculiar to it. But our objection to the measures advocated by the Philadelphia Convention, so far as we can trace any definite shape amid the dust-cloud of words, is, not that they would treat the Rebel States with moderation, but that they propose to take them back on trust. We freely admit that we should have been inclined to see more reasonableness in this course if we had not the examples of Jamaica and New Orleans before our eyes; if we had not seen both there and in other instances with which history supplies us, that it is not safe to leave the settlement of such matters in the hands of men who would be more than human if they had not the

prejudices and the resentments of caste. Here is just one of those cases of public concern which call for the arbitrament of a cool and impartial third party, — the very office expected of a popular government, — which should as carefully abstain from meddling in matters that may be safely left to be decided by natural laws, as it should be prompt to interfere where those laws would be inoperative to the general detriment. It should be remembered that self-interest, though its requirements may seem plain and imperative to an unprejudiced by-stander, is something which men, and even communities, are often ready to sacrifice at the bidding of their passions, and of none so readily as their pride. As for the attachment between master and slave, whose existence is sometimes asseverated in the face of so many glaring facts to the contrary, and on which we are asked to depend as something stronger than written law, we have very little faith in it. The system of clanship in the Scottish Highlands is the strongest case to which we can appeal in modern times of a truly patriarchal social order. In that, the pride of the chief was answered by the willing devotion of the sept, and the two were bound together as closely as kindred blood, immemorial tradition, and mutual dependence could link them; and yet, the moment it became for the interest of the chieftain, in whom alone was the landed title, to convert the mountain slopes into sheepwalks, farewell to all considerations of ancestral legend and ideal picturesqueness! The clansmen were dispossessed of their little holdings, and shipped off to the colonies like cattle, by the very men for whom they would have given their lives without question. The relation, just like that of master and slave, or the proposed one of superior and dependant in the South, had become an anachronism, to preserve which would have been a vain struggle against that power of Necessity which the Greeks revered as something godlike. In our own case, so far from making it for the interest of the ruling classes at the South to elevate the condition of the black man, the policy of Mr. Johnson offers them a bribe to keep him in a state of hopeless dependency and subjection. It gives them more members of Congress in proportion as they have more unrepresented inhabitants. Mr. Beecher asks us, (and we see no possible reason for

doubting the honesty of his opinions, whatever may be their soundness,) whether we are afraid of the South, and tells us that, if we allow them to govern us, we shall richly deserve it. It is not *that* we are afraid of, nor are we in the habit of forming our opinions on any such imaginary grounds; but we confess that we are afraid of committing an act of national injustice, of national dishonor, of national breach of faith, and therefore of national unwisdom and weakness. Moderation is an excellent thing; but taking things for granted is not moderation, and there may be such a thing as being immoderate in concession and confidence. Aristotle taught us long ago that true moderation was as far from the too-much of blind passion on the one hand as from that of equally blind lukewarmness on the other. We have an example of wise reconstructive policy in that measure of the Bourbon-restoration ministry, which compensated the returned emigrants for their confiscated estates by a grant from the public treasury. And the measure was wise, for the reason that it enabled the new proprietors and the ousted ones to live as citizens of the same country together without mutual hatred and distrust. We do not propose to compensate the slaveholder for the loss of his chattels, because the cases are not parallel, and because Mr. Johnson no less than we acknowledges the justice and validity of their emancipation. But the situation of the negro is strikingly parallel with that of the new holders of land in France. As they were entitled to security, so he has a right not only to be secured in his freedom, but in the consequences which legitimately flow from it. For it is only so that he can be insured against that feeling of distrust and uncertainty of the future which will prevent him from being profitable to himself, his former master, and the country. If we sought a parallel for Mr. Johnson's "policy," we should find it in James II., thinking his prerogative strong enough to overcome the instincts, convictions, and fears of England.

However much fair-minded men may have been wearied with the backing and filling of Congress, and their uncertainty of action on some of the most important questions that have come before them, — however the dignity, and even propriety, of their attitude toward Mr. Johnson may be in some respects honestly called in question, — no one who has looked fairly at the mat-

ter can pronounce the terms they have imposed on the South as conditions of restoration harsh ones. The character of Congress is not before the country, but simply the character of the plan they propose. For ourselves, we should frankly express our disgust at the demagogism which courted the Fenians; for, however much we may sympathize with the real wrongs of Ireland, it was not for an American Congress to declare itself in favor of a movement which based itself on the claim of every Irish voter in the country to a double citizenship, in which the adopted country was made secondary, and which, directed as it was against a province where Irishmen are put on equal terms with every other inhabitant, and where their own Church is the privileged one, was nothing better than burglary and murder. Whatever may be Mr. Seward's faults, he was certainly right in his dealing with that matter, unless he is to be blamed for slowness. But as regards the terms offered by Congress to the South, they are very far from harsh or unreasonable; they are lamb-like compared to what we had reason to fear from Mr. Johnson, if we might judge by his speeches and declarations of a year or two ago. But for the unhappy hallucination which led Mr. Johnson first to fancy himself the people of the United States, and then to quarrel with the party which elected him for not granting him to be so, they would not have found a man in the North to question their justice and propriety, unless among those who from the outset would have been willing to accept Mr. Jefferson Davis as the legitimate President of the whole country. The terms imposed by Congress really demand nothing more than that the South should put in practice at home that Monroe Doctrine of which it has always been so clamorous a supporter when it could be used for party purposes. The system of privileged classes which the South proposes to establish is a relic of old Europe which we think it bad policy to introduce again on this continent, after our so fresh experience in the war of the evil consequences that may spring from it. Aristocracy can form no more intimate and hearty union with democracy under one form than under another; and unless such a union be accomplished, or we can see some reasonable hope of its future accomplishment, we are as far from our object as ever.

The plan proposed disfranchises no one, does not even interfere with the right of the States to settle the conditions of the franchise. It merely asks that the privilege shall be alike within reach of all, attainable on the same terms by those who have shown themselves our friends as by those whose hands were so lately red with the blood of our nearest and dearest. We have nothing to do with the number of actual loyalists at the South, but with the number of possible ones. The question is not how many now exist there, and what are their rights, but how many may be made to exist there, and by what means. The duty of the country to itself transcends all private claims or class interests. And when people speak of "the South," do they very clearly define to themselves what they mean by the words? Do they not really mean, without knowing it, the small body of dangerous men who have misguided that part of the country to its own ruin, and almost to that of the Republic? In the mind of our government the South should have no such narrow meaning. It should see behind the conspirators of yesterday an innumerable throng of dusky faces, with their dumb appeal, not to its mercy, its generosity, or even its gratitude, but to its plighted faith, to the solemn engagement of its chief magistrate and their martyr. Any theory of the South which leaves out the negro is a scandal and reproach to our honesty; any attempt at another of those fatal compromises which ignore his claims upon us, but cannot ignore his claims upon nature and God and that inevitable future which we may hope to put far from us, but which is even now at our door, would be an imputation on our judgment, and an acknowledgment that we were unworthy to measure our strength with a great occasion when it met us face to face.

We are very far from joining in the unfeeling outcry which is sometimes raised by thoughtless persons against the Southern people, because they decorate with flowers the graves of their dead soldiers, and cherish the memory of those who fell in the defence of a cause which they could not see to be already fallen before they entered its service. They have won our respect, the people of Virginia especially, by their devotion and endurance in sustaining what they believed to be their righteous quarrel. They would rather deserve our reprobation, if

they were wanting in these tributes to natural and human feeling. They are as harmless as the monument to the memory of those who fell for the Pretender, which McDonald of Glenaladale raised after the last of the Stuarts was in his grave. Let us sympathize with and respect all such exhibitions of natural feeling. But at the same time let us take care that it shall not be at the risk of his life that the poor black shall fling his tribute on the turf of those who died, with equal sacrifice of self, in a better cause. Let us see to it that the Union men of the South shall be safe in declaring and advocating the reasons of their faith in a cause which we believe to be sacred. Let us secure such opportunities of education to the masses of the Southern people, whether white or black, as shall make any future rebellion impracticable, and render it possible for the dead of both sides to sleep peaceably together under the safeguard of a common humanity, while the living dwell under the protection of a nationality which both shall value alike. Let us put it out of the power of a few ambitious madmen to shake, though they could not endanger, the foundations of a structure which enshrines the better hope of mankind. When Congress shall again come together, strong in the sympathy of a united people, let them show a dignity equal to the importance of the crisis. Let them give the President a proof of their patriotism, by not only allowing him the opportunity, but by making it easy for him, to return to the national position he once occupied. Let them not lower their own dignity and that of the nation by any bandying of reproaches with the Executive. The cause which we all have at heart is vulgarized by any littleness or show of personal resentment in its representatives, and is of too serious import to admit of any childishness or trifling. Let there be no more foolish talk of impeachment for what is at best a poor infirmity of nature, and could only be raised into a harmful importance by being invested with the dignity of a crime against the state. Nothing could be more unwise than to entangle in legal quibbles a cause so strong in its moral grounds, so transparent in its equity, and so plain to the humblest apprehension in its political justice and necessity. We have already one criminal half turned martyr at Fortress Monroe; we should be in no hurry to make another out of

even more vulgar material, — for unhappily martyrs are not Mercuries. We have only to be unswervingly faithful to what is the true America of our hope and belief, and whatever is American will rise from one end of the country to the other instinctively to our side, with more than ample means of present succor and of final triumph. It is only by being loyal and helpful to Truth, that men learn at last how loyal and helpful she can be to them.

Art. IX. — CRITICAL NOTICES.

1. — 1. *The Chinese Classics: with a Translation, Critical and Exegetical Notes, Prolegomena, and Copious Indexes.* By James Legge, D D., of the London Missionary Society. In Seven Volumes. Vol. I., *containing Confucian Analects, the Great Learning, and the Doctrine of the Mean.* Vol. II., *containing the Works of* Mencius. Vol. III., Part I., *containing the First* [*Four*] *Parts of the Shoo-king.* Vol. III., Part II., *containing the Fifth Part of the Shoo-king.* Honkong: at the Author's. London: Trübner & Co. 1861. Large 8vo. pp. xiv., 136, 376; viii., 126, 497; xii., 208, 278; 279–735.

2. *The Chinese Classics: a Translation.* By James Legge, D. D., of the London Missionary Society. Vol. I. [*Confucius.*] Worcester, Mass.: Z. Baker. 1866. 8vo. pp. 163.

The edition of the Chinese Classics by Dr. Legge, of which three volumes (the third being in two parts) have now been published, is so important and valuable a contribution to the knowledge of the religion, morals, and philosophy of the Chinese as to deserve the attention of all persons interested in Oriental studies or in the history of thought. We therefore propose to give a brief account of his work, taking a rapid survey of the different books which compose the collection designated as the Chinese Classics, and pointing out the principal editions and translations upon which Western scholars who have desired to become acquainted with them have hitherto been obliged to depend.

The books which are universally recognized as of the highest authority in China, and with which all who desire to hold any office of distinction must be perfectly familiar, are nine in number, consisting of the *Wu-king*, or Five Canonical Works, and the *Sze-shoo*, or Four Books. All of these have a certain connection with Confucius (B. C. 551–478), but he is the proper author of only one of them.

The first and most mysterious of the canonical works is the *I-king*, or *Yih-king*, — Book of Changes, or Transformations. It is a singular attempt to give a philosophical and moral significance to a mere system of parallel lines, entire or broken, arranged in threes, forming eight diagrams, admitting of sixty-four combinations, each of which is supposed to teach a weighty lesson. To illustrate briefly, — the two great principles from which all things proceed, Yâng and Yin, the perfect and imperfect, the active and passive, are represented, the first by a single horizontal line (——), the second by the same with a break in the middle (— —); three parallel horizontal lines denote Heaven; the same, broken in the middle, Earth; the other six diagrams represent Fire, Wind, Water, and so forth; and all these emblems are supposed to have a manifest moral as well as physical significance. The symbol for Heaven, for example, is regarded as indicating the character and duties of the sovereign, the son of Heaven; that for Earth, the character and duties of the subject. These diagrams are ascribed by the Chinese to the mythical Emperor Fu-hi; the brief explanations of their sixty-four combinations by the Emperor Wan-wang, who flourished about B. C. 1150, and his son Chau-Kung, form the text of the *Yih-king*, to which Confucius (about B. C. 500) added notes.

As a book of this kind can easily be made to mean anything one pleases, it is not surprising that the Imperial Library at Pekin, toward the close of the last century, contained about fourteen hundred and fifty treatises upon it, and that the votaries of the most diverse systems of physics and metaphysics, morals and politics, astrology and divination, appeal to it with equal confidence. We have a Latin translation, with a learned Introduction and notes, by the Jesuit missionary Jean Baptiste Régis, which, after remaining in manuscript for more than a century, was published under the editorship of Julius Mohl, at Stuttgart and Tübingen, in 1834–39, in two volumes, 8vo.

The second canonical work, and the most important, is the *Shoo-king*, or Book of Historical Documents. It is a collection of memorials of the history of the Chinese Empire from about B. C. 2350 to B. C. 770; but it has no connected method, and there are many great gaps in its records. It is said to have been compiled by Confucius, from pre-existing documents; and it was evidently his object to preserve, as far as possible, whatever in the ancient traditions might convey sound moral and political instruction. The *Shoo-king* is important as illustrating both the ethical and the religious notions of the ancient Chinese. It is on passages in this book that those principally rely who maintain that the Chinese formerly recognized one supreme God, under the appellation of *Shang-ti*, or sovereign ruler. The morality of the book is

high, and many of the maxims laid down for the conduct of rulers are admirable. Of the sovereign it is said, that "his real way of seeing Heaven is to love the people"; and that, "when he fails to love the people, Heaven will, for the sake of the people, cast him out." (Meadows, *The Chinese and their Rebellions*, p. 359.) The virtue of humility, so rarely recognized by the Pagan moralists of Greece and Rome, is repeatedly enforced. Rémusat goes so far as to pronounce it "the finest monument of profane antiquity." (*Nouveaux Mélanges*, II. 283.) The French translation of Father Gaubil, perhaps the most learned of all the Jesuit missionaries in China, was published at Paris in 1770, in quarto, with valuable notes. An English version, by Dr. W. H. Medhurst, accompanied by the original, was printed at Shanghai in 1846. A number of the more striking passages, as translated by Father Prémare, are given in Du Halde's "Description of China," a work which illustrates the Chinese literature generally by very copious extracts. Prémare maintains that the ancient books of the Chinese prove that "the Christian religion is as old as the world" (Rémusat, *Nouv. Mél.*, II. 266), — an expression which reminds one of Tindal's "Christianity as old as the creation."

The third canonical book is the *She-king*, or Book of Lyric Poetry, also compiled by Confucius, and embracing such portions of the popular songs and odes as he deemed worth preserving, including many pieces, probably, of very high antiquity. The subjects of the poems, of which there are three hundred and eleven in all, are very diversified, and throw much light on the manners and customs of the ancient Chinese, as has been shown by Edouard Biot, in his *Recherches sur les Mœurs des anciens Chinois d'après la Chi-king*, first published in the *Journal Asiatique* for November and December, 1843, and afterwards separately. The first division in the book, in fact, bears a title which Davis translates "The Manners of States," being a collection formed by the sovereign, for the express purpose of enabling himself thereby to judge of the prevailing character and sentiments of the common people subject to his rule. The Latin translation of Father Lacharme, edited by Mohl, was published at Stuttgart and Tübingen in 1830, and from this a German version was made by Rückert, which was published in 1833, and another by Cramer, which appeared in 1844.

The fourth canonical book is the *Li-ki*, or Record of Rites. It does not merely contain directions for the performance of religious rites, but is a book of ceremonial and etiquette, and comprises a multitude of minute rules for propriety of conduct in all circumstances and at all periods of life. Williams remarks, in his "Middle Kingdom" (I. 509), that these regulations do not refer to the external conduct only, but are in-

terspersed with truly excellent observations regarding mutual forbearance and kindness in society, which is regarded as the true principle of etiquette. The compilation of this book, like the others, is attributed to Confucius, but in its present form represents rather a period some centuries later. An edition of the original, accompanied by a French translation and notes, was published by J. M. Callery at Turin and Paris, 1853, 4to.

The fifth and last of the *king*, or canonical books, is the *Chun-tsiu*, — "Spring and Autumn," — an historical work written by Confucius himself, and bringing down the annals of the empire from about 721 to 480 B. C., that is, nearly to the time of the sage's death. It is regarded as remarkable for the fidelity of its portraits of character, and was compiled by Confucius with a moral purpose in view. No translation, we believe, has been published in any of the languages of Western Europe.

We come now to the *Sze-shoo*, or Four Books. These have long been made accessible to the European world by translations, and merit all the attention they have received. The first of them, the *Ta-heó*, or Great Study, is a short, fragmentary work, arranged, in the form in which it is commonly studied, by Chu-hi, a very eminent philosopher, who flourished at the beginning of the thirteenth century. He ascribes to Confucius the authorship of the first section only of the eleven which compose the work as arranged by himself, and regards the rest as a commentary by his disciple, Tsang-sin, recorded, however, by Tsang-sin's own followers. This view Legge considers as untenable. The work may be briefly described as a treatise on the practice of personal virtue by rulers as the foundation of good government, and as the source of virtue and happiness in the community. The second, the *Chung-yung*, or "Doctrine of the Mean," or, as it has commonly been translated, "The Invariable or Immutable Mean," is a longer work, in thirty-three chapters. It treats of virtue as consisting in conformity to the law of nature, which constitutes the true path of rectitude, the mean between all excess and defect, from which there is to be no deviation to the right hand or the left. The latter part of the work contains a high-flown description of the ideal sage, reminding one somewhat of the Wise Man of the ancient Stoics. This ideal Confucius was thought by his followers, though not by himself, to have realized. The work was composed by Kung-keih, commonly called Tze-sze, a grandson of Confucius. The maxims of Confucius constitute a large portion of it.

The third book of the *Sze-shoo* is the *Lun-yu*, or Digested Conversations, a sort of Chinese *Memorabilia* of Confucius, containing a record of his sayings, and in one book (the tenth) giving us a minute ac-

count of his personal habits, dress, and demeanor. Legge calls it "The Confucian Analects." The collection was made probably fifty years or more after the death of Confucius, being founded, doubtless, on memorials of his discourses and conversations preserved by his disciples, and giving a view, essentially correct, of his teachings. It is rather rudely put together, but contains many striking passages, mingled with a good deal that may seem rather trivial and commonplace. The three books which have thus been briefly described were early made known to the Western world through a Latin translation, made by the Jesuit missionaries Intorcetta, Couplet, and others, and published at Paris in 1687, in folio, with the title, *Confucius Sinarum Philosophus*, etc. An abridged French translation appeared the next year at Amsterdam, several times reprinted, entitled *La Morale de Confucius*, and was probably the source of the English translation entitled "The Morals of Confucius," published at London in 1691, 1724, etc. Other translations of the separate books already named are the following. Of the *Ta-heó*, or Great Study, there is a French version by Father Cibot, in the first volume of the great work entitled *Mémoires concernant les Chinois*, Paris, 1776, 4to; and in 1837 an edition of the Chinese text, accompanied by a French and Latin version, was published at Paris by Pauthier; an English translation, with the Chinese original, is appended to Marshman's "Elements of Chinese Grammar," published at Serampore in 1814. Of the *Chung-yung*, or Due Medium, there is also a French translation in the first volume of the Memoirs concerning the Chinese, before spoken of. In 1818, the eminent Chinese scholar, Rémusat, under the auspices of the French Academy, published an edition of the original, with a French and Latin translation, copious notes, and an introductory notice of the Four Books, in the *Notices et Extraits des Manuscrits*, &c., Vol. X. This was also issued separately, and was, if we mistake not, the first Chinese text printed in Europe. The third book, the *Lun-yu*, or Conversations, was translated into English by Marshman, and published with the text as Vol. I. of the "Works of Confucius," at Serampore, in 1809. This was the only volume which appeared.

The fourth book of the *Sze-shoo* contains the works of Mang-tze, or Mencius, who flourished about 350 B. C., and who has long held a rank among the Chinese second only to that of Confucius himself, to whom, indeed, he seems to have been intellectually superior. A French translation of Mencius, accompanied by the original, was published by the very eminent Chinese scholar, Stanislas Julien, Paris, 1824–26, in two volumes, 8vo.

The first translation of the Four Books collectively was made in

Latin by one of the Jesuit missionaries in China, Father Noël, and published at Prague, in 1711, under the title *Sinensis Imperii Libri classici Sex*,—Noël having added to the Four Books the *Hiao-king*, or Book of Filial Duty, an anonymous collection of Confucian maxims on that subject, and the *Siao-heó*, or Primary Instruction, by the philosopher Chu-hi, a work greatly esteemed in China. Noël's collection was badly turned into French by the Abbé Pluquet, and published in 1784–86 in seven volumes, 18mo. Rémusat speaks of this diluted paraphrase with great contempt. In 1841, Pauthier published at Paris, in a duodecimo volume, a French translation of the Four Books, under the title of *Confucius et Mencius*, which has been several times reprinted. This is also contained, and indeed first appeared, in the collection entitled *Les Livres sacrés de l'Orient*, published at Paris in 1840, edited by Pauthier. An English translation of the Four Books was published at Malacca, in 1828, by the Rev. David Collie, of the London Missionary Society. This is pronounced, in the Chinese Repository, "not a very scholar-like performance." A German translation of the Four Books, by Schott, in two volumes, the first of which appeared in 1826, was also severely criticised by Chinese scholars. Klaproth denounced it as a literary imposture.

Such is a sketch of the general character of those books which may pre-eminently be called the Chinese classics, and of the principal translations which have served to make them known to the Western world. Dr. Legge proposes to publish the original text of them all, accompanied by an English translation, full introductions, and indexes of subjects, proper names, and Chinese characters and phrases, for each separate work. The Chinese indexes may serve as a dictionary, and, if faithfully executed, will probably lay a foundation for a better general lexicon of the language than has yet appeared for the use of European scholars. The first volume contains the first three of the Four Books, with Prolegomena of one hundred and thirty-six pages, which, after a very brief general notice of the Chinese classics, give a scholarly introduction to each separate work, treating of the history of the text, the authorship, and the scope and value of the work. In the fifth chapter Dr. Legge gives an account of the life of Confucius, evidently prepared with care, and which he flatters himself will be found "a more correct narrative of the principal incidents in his life than has yet been given in any European language." (p. 88.) The Life of Confucius is followed by an account of his principal disciples.

The second volume published by Dr. Legge embraces the works of Mencius. The first chapter of the Prolegomena contains the history of the text, and of its reception among the classical books, with notices

of the commentators. In the second chapter is the Life of Mencius, with an essay on his influence and opinions, and a notice of some works written in opposition to his doctrine of the goodness of human nature. The two most remarkable among these are given by Dr. Legge in an English translation, accompanied by the Chinese text. The first, by the philosopher Seun-king, who flourished about 260 B. C., maintains that the nature is evil; the second, by Han Wan-kung, regards human nature as consisting of three grades, the superior, the middle, and the inferior, of which the first is good and good only, the second may become either good or evil, and the third is evil and evil only. (p. 92.)

The third chapter of the Prolegomena treats of the opinions of Yang-Chu and Mih-Teih, two writers of the most opposite character, but whom Mencius felt bound to denounce with equal severity. Yang's principle was, "Each one for himself," which Mencius says does not acknowledge the claims of the sovereign. Mih's principle is, "To love all equally," which Mencius observes "does not acknowledge the peculiar affection due to a father. To acknowledge neither king nor father is to be in the state of a beast." (p. 340.) While Yang-Chu advocated a merely selfish epicureanism, we certainly cannot but be struck with the doctrine of universal love laid down by Mih-Teih. Dr. Legge has given us a translation of the treatise, accompanied by the original Chinese text, in which his doctrine on this subject is embodied by one of his disciples. It is certainly a very remarkable production, though Dr. Legge thinks he has not taught the *duty* of universal love, but merely argues for it on the ground of its expediency. (p. 121.) Dr. Legge, however, vindicates him from the charge of maintaining that we should love all men in an equal *degree*, — an assumption on which Mencius's hostility to the doctrine seems to have been founded; for Mencius, like Confucius, lays great stress on the duty of benevolence. Mih-Teih seems to have had a delightful vision of the happiness of a state of society in which this principle should universally rule; and we may readily pardon him if, in announcing it, he did not put in all the qualifications and provisos which the colder and more logical Mencius might think necessary in order to guard against extravagance. But granting the excellence of the principle, how shall men be induced to accept it? In answering this question, Mih lays great stress on the force of example and the influence of good rulers.

The third volume, in two parts, contains Prolegomena to the *Shoo-king*, or Historical Classic, with the original text, a translation, notes, and indexes.

Dr. Legge has been a missionary in China since the year 1839, and

formed the plan of the present work as early as 1841. He seems to have taken pains to make himself master of the most important Chinese works illustrating the classics, and to have prepared himself in general for his task as a thorough scholar should do. His translation is evidently closer than most of those which have preceded it; and the notes, while they must be particularly valuable to students of the original, are also useful and important to the mere English reader. Only a Chinese scholar can pronounce on the absolute fidelity and accuracy of his version. His modes of expression do not always seem the happiest that might be chosen to convey the meaning evidently intended; and sometimes the notes alone give the clew to what is quite obscure in the text.

In addition to the work already described, Dr. Legge hopes to give a supplementary volume or two, so as to embrace all the books in "The Thirteen King." The *Thirteen* King, a name which designates a collection formed in the seventh century by Tae-tsung, embraces, in addition to the nine sacred books already described, two other annotated editions of the *Chun-tsiu* (Spring and Autumn), by Confucius, two other ritual collections, namely, the *Chau-Li*, and the *I-Li*, the *Urh Ya*, a sort of ancient dictionary, and the *Hiao-king*, or Classic of Filial Piety. In this collection, two of what are now called the Four Books, namely, the Great Study and the Immutable Mean, form chapters in the *Li-ki*, or Memorial of Rites.

The expense of the publication of the great work which Dr. Legge has thus undertaken was munificently assumed by an English merchant of Hong-Kong, the late Hon. Joseph Jardine; and through the liberality of another generous merchant, the Hon. John Dent, the volumes will be sold to missionaries at half-price. It is an interesting fact that the whole of the printing in these volumes has been performed by Chinese workmen.

A reprint of the translation by Dr. Legge of the Confucian Analects, the Great Learning, and the Doctrine of the Mean, has recently been published at Worcester, Massachusetts. It is accompanied by an Introduction of little value, compiled by the anonymous American editor. A judicious selection from Dr. Legge's Prolegomena and notes would have rendered this volume of great worth to American scholars, few of whom would require the Chinese text, but many of whom would regard as a desirable acquisition a properly edited translation. A portion of Dr. Legge's Prolegomena and notes are essential to the understanding of the translation; and deprived of them as it is, the American reprint is of comparatively slight value, either to scholars or general readers. The cost of the original edition of Dr. Legge's volumes is so great, that we trust some competent student may be found to

give us, with Dr. Legge's consent, a reprint of his translations, with all that is needful in the way of illustration for the full and correct understanding of their meaning.

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2. — *Felix Holt, the Radical.* By GEORGE ELIOT, Author of "Adam Bede," "The Mill on the Floss," "Silas Marner," "Scenes of Clerical Life," "Romola," &c. New York: Harper and Brothers. 1866. 8vo. pp. 184.

THERE are one or two hints in "Romola" and "Felix Holt," that the author in writing them had a definite dramatic aim, which would not be satisfied with works properly inartistic. The bill-sticking scene in "Felix Holt," and the chapter called "A Florentine Joke" in "Romola," are easier to account for on the supposition of a design to heighten the unity and interest of the plot by contrast, than on the ground of a purely naturalistic development of the story. And there are other hints at the same thing, rather to be found in the general tone of George Eliot's later books, than in any marked incidents or relations of incidents. But as she has never distinctly said that this was her ambition, and as it is possible to explain everything in her books in another way, it is much better to look at such excellent novels from the simplest point of view, and to leave to the French the æsthetic discussion of her works; for they still do such criticism far better than we, and are troubled less than we by other considerations. When George Eliot comes to write the drama which is perhaps foreshadowed in the verses scattered through "Felix Holt," then it will be time enough to talk of her as a dramatic author. But while we still refuse to bring this kind of criticism to bear upon Thackeray and Dickens, let us enjoy her rare qualities also, without inquiring how it is that she is not what perhaps she never meant to be.

From the time when the interesting "Scenes of Clerical Life" were published down to the issue of "Felix Holt," George Eliot has the great merit of being true to herself. Her last novel shows the distinctive marks of the first, — the vigor of style, the incisiveness of thought, the truth to nature. The corruption which a life of fiction-writing, like a life of politics, is apt to produce, has not been able to dull her moral sense, nor to rust the keenness of her sympathy for the sorrows and joys of men and women. Even the wearing effects of time she shows but little. She has neither become a cynic, nor a humorist, nor coarse, but still keeps in the path of realistic art, studying the roadside nature, and satisfied with it. She continues to receive

the great reward which every true realist longs for, that she is true to nature without degenerating to the commonplace, and the old blame, that they have not enough of the ideal, which they covet too. And this classification among the realists, which is easy to make, and gives an author a hold on sympathy at once in England or America, means more in this case than if George Eliot had been the name of the author's actual, not literary, baptism. For a man to go on a voyage of discovery is not surprising; but for a woman to dare to leave the Abyssinian seclusion in which we are wont to place her, and to wish to travel among men and cities, to desire to see not only the things we are content to tell her about life, but life itself, to look into the dark corners and crannies and find what goes on there, shows an ambition which cannot but be interesting to any one who perceives in woman some higher sense than hearing and some deeper right than that of credulity.

"Felix Holt" is a picture of radicalism in England thirty-five years ago, quite as much as a picture of Felix himself. The introduction draws with a few bold strokes the prominent features of the landscape, at the time when Apollo, or whatever god had charge of stage-coaches, was driving them down the western horizon, while the whistle of steam was heard in the East. In America we know little of the England of thirty-five years ago, but we see enough of the fidelity of the author to nature to know that we may trust her. There is no danger of her writing one of the old-fashioned historical novels which seemed to be called so because only the greatest familiarity with history would account for such great contempt of it as was shown by the authors of them. George Eliot is a believer in radicalism, in the Reform Bill of 1832, and in the Reform Bill of 186–; but the noble ideality of her hopes does not prevent her from seeing facts as they actually are. The radical is with her no thunder-clad god, striding from mountain-top to mountain-top of reform, shouting "Tally-ho!" to the crusading multitudes in the valleys beneath. The radical is one of that multitude, a hungry and thirsty and angry man, creeping foot-sore through a doubtful land, hoping, and sometimes believing, that he may leave the world a little better for his children than he found it for himself.

The plot cannot be safely disentangled from the actors who play it. With George Eliot a plot is not so much a network of incidents in which characters are stowed away at random, but the key-board of an instrument which, when once disconnected from the strings, gives out but a muffled, unmeaning sound. The bare facts of a story like "Felix Holt" would seem as strange as truth, did they not, by slow development with the characters, acquire the probability of fiction. It is sufficiently

original, and at the same time familiar, to mark it as akin to "The Mill on the Floss" and "Romola," and the "Scenes of Clerical Life." There is the old doubt whether the forces of nature are not stronger than we, and the old faith in morality; there is the same thoughtfulness, and the same individual point of view. The Durfey-Transomes consist of Mrs. Transome, old Mr. Transome, imbecile and despised by his wife, and a son Harold, who, having made a fortune in the East, returns, a widower with a little boy, to England, where his mother has been anxiously longing for him for years. Mrs. Transome is by nature and position an aristocrat, tied by her feelings and her property to Tory principles. She looks to her son as to some one who is to soothe the sorrow of her declining life by sympathy and affection. He returns, a good-humored, facile, selfish man, taking an Oriental view of women, and desiring to enforce upon his mother the necessity of her sitting on cushions and dressing in silks, while he manages the estate. In almost their first interview he shocks her by announcing that he is going to stand for Parliament as a Radical. These two characters give the author the opportunity, which in "Romola" and "The Mill on the Floss" was used with such effect, of bringing into daily collision a man and woman whose natures are so utterly opposed to each other that no necessity of circumstance can ever make their lives sympathetic. Just as Tom and poor Maggie Tulliver could never be brother and sister, as Tito and Romola could never be husband and wife, so Mrs. Transome and Harold can never be mother and son. Harold is something of an English Tito, with the same selfish love of ease, the same ambition, and the same want of principle, except that he has that sense of honor and tradition which amount in England to principle, and which give a stimulus to effort very different from any which an entirely non-moral person like Hetty or Tito could have. Indeed, it will not do to push such an analogy too far, for no one is more cautious than George Eliot not to repeat herself.

In the little village of Treby, an old Dissenting minister named Rufus Lyon, abstracted from this world, and living among theories of doctrine, memories of a past unknown to his congregation, and the works of benevolence, lives with his daughter Esther. In the charming character of this girl the interest of the story centres. Her delicate, sensitive nature is shocked at the coarse prose of life, and she retires into her father's library to read Byron. The first few traits of her character excite the attention, as every imperfect, impulsive woman that George Eliot draws, from Janet Dempster to this Esther Lyon, is sure to do. To modify her, to bring out her true strength, a man must be introduced whose love of the real shall crystallize her sentiments into

true idealism, and in Felix Holt such a man is found. Every one who reads knows enough of Felix Holt, the hater of shams and cravats, to have a clear opinion of his character. He is a wonderfully drawn man, and in the drawing of such people is shown the unusual clearness of the author's sight. But though her sight is never dim, her greatest power is not shown either in Bartle Massey, or in this radical lover of Esther's. The passions and emotions of women, or of men who have a good deal of the woman in them, she feels, but the same passions and emotions in thoroughly masculine men she only understands. To go no further, for instance, than this very book, Felix Holt, consistent and natural as he is, is not so good as a whole as Harold Transome. Harold is a masculine man, a man of ambition, and selfish; but there is a shade of womanly delicacy about him, which at once makes him at home in the story. Felix Holt seems too often sent there as a representative man, and bound like all delegates to constrained action. He stands for masculinity, as his great-grandfather, Bartle Massey, did in another way, and masculine he must always be; but be he ever so masculine, we feel that George Eliot is always feminine. Such characters are often better with her in the background than in the front, as in the slight allusion to Tom Tulliver's unhappy love for Lucy Deane, throwing a light over his whole past and future life, there is more poetry and effectiveness than if the hint had been boldly developed. Tito, Arthur Donnithorne, Adam Bede, are all men who combine with distinctly masculine natures womanly feelings that make them much more striking characters in their different positions than it is possible for Felix Holt to be. There is no wonder that this should be so in a writer who unites so much manly force with feminine sensibility. When this union is allowed to exist, there is true power, as in the best parts of her style, in characters like Harold Transome, in the mingled strength and sensitiveness of her thoughts; but where the union is broken, the parts have less value by themselves. The political dinner at Treby is by no means a success, partly because there is not enough humor to make it entertaining, but principally because, with all her love of alehouses and street scenes, she is not dramatically at home in them. She can analyze and describe the character of Mrs. Nolan, or put cleverly together scenes in a barber's shop, with the truth of an accomplished critic, but feeling is out of the question. In Maggie Tulliver there is the tenderness of a woman describing her sister, and the strength which bridges for tenderness the quagmire of debility. Not that Felix Holt does many things which he ought not to have done, and leaves undone many things which he ought to have done, but that he is the product of the understanding; such a character as Maggie shows the union of comprehension and feeling.

If we are to have a seduction in a novel, the interests of morality and art will not soon find a better combination of their requirements than in the unhappy consequences of Mrs. Transome's error. This miserable woman, full of remorse, without penitence, tied to an imbecile husband, slighted by a son whose affection she longs for to soften her sorrow, insulted by her former lover with a proposition that she may save him by revealing her shame to her son, stands as an example of the always deepening shadows that the evil deed throws over life. Her story offers the same inducements to sin that the sinking vessel and the cries of the drowning offer to shipwreck. The moral in these novels is not obtruded, any more than it is by nature. To those who are entirely deaf, "Felix Holt" will seem not much more than a curious and interesting story; those who can hear when shouted to will perhaps ask why the moral is not introduced to them; but among those who have acquired a habit of listening, it will be the more pleasing that a book so full of thought and the lessons which teach themselves should have been written without morbid sentiment or offensive didacticism. In a dramatic point of view, the vague allusions of the early chapters to a past offence, the deepening gloom of Mrs. Transome's life, the sure approach of a disclosure, and the pagan affection of her servant, have a power which its owner too acutely feels to use any rhetoric or artificial flourish. The incidents of this part of the novel, and the character of the chief person, give an opportunity for just that masculine delicacy in stating, hinting, and in silence which marks George Eliot's greatest successes.

But it must be confessed that the plot of "Felix Holt," like that of "Romola," marches a little slowly. We feel that the omission of a good deal would do no injury to the interest of the story. The boy's education which the author has been said to have received, acting upon a mind naturally turned toward learning and research, has made her fond of many things which the novels of women are not apt to show familiarity with. In this one there is enough of law and politics, as in "Romola" of history, to show great study and care; but in both cases they are made too prominent. These studies of the past, which no novelist of the past can make too careful, are valuable as a means; the public, which only cares for a novel as a novel, is willing to justify the laboriousness of such means only if it is kept out of sight. It is a pleasure-loving public, the novel-reading one, and turns from law and history and politics and trade to hear the story of life. When it is so generous, it is nearly a shame to thrust it back into the ruts. This learning and research, too, appear to have their effect on a style which at the beginning was simple and direct, but has by the least alteration in the world

become slightly indirect and tortuous. Ideas which in the "Scenes of Clerical Life" would have been expressed with perfect clearness are in "Felix Holt" now and then enveloped in syllables that coil themselves about the thought with dangerous, snake-like facility. It is seldom that this tendency shows clearly; but there is just enough to make us regret its presence, and to excuse a suggestion that, wherever an author goes, her style should sun itself in the warm light of human nature, and not shiver in the cold chambers of law and metaphysics.

There is enough easy pleasantry in George Eliot's novels to explain the constant assertion of the critics that she is a humorist. Yet is she not rather a wit? Is there not more wit than humor in the pungent sayings of Mrs. Poyser? The sense of incongruity which lies at the bottom of all fun finds most often with George Eliot, as with Mrs Poyser, its best expression in a keen incisiveness which lays bare the truth, rather than in the soft light of drollery that illuminates it. When she says that there is in men and women a capacity for sorrow which distinguishes them from the most human chimpanzee or orang-outang, we feel the full force of a power in its natural use; but the "Florentine Joke" is one of those attempts at protracted dramatic humor in which we see the appreciation of the ludicrous that raised the conception, and yet cannot enjoy the execution. The night attack of Maurice Christian on the brains of the half-crazy, drunken Tommy does not provoke to laughter, and no one can help feeling a sympathy with the perpetrator, who yawns over it before going to bed.

But an odder thing in George Eliot than any attempts of such a kind is that she should so often have called in the assistance of Dickens. If there was one thing in the world that seemed certain, it was that she would not, could not, imitate, yet constantly she has imitated Dickens. There was a quaint form of humor that he introduced, and of which every one has now a large supply on hand, both for purposes of conversation and for writing, which enveloped familiar ideas, the more familiar the idea the better, in a suave, elaborate diction, which could give an absurd look to anything. It delighted him to pay out his thoughts with grandiose detail and meaningless circumlocution, and to feel the surprise of those who grasped the end to find that they had hold of spool cotton, instead of an electric cable. This manner has grown a little monotonous, even in his hands, and has been trodden to death by so many other's feet that there seems no reason why so cautious an analyzer as George Eliot should have fallen into it. That she should have done so is one of the highest triumphs of Dickens. It was a stern literary fate that forced a person so rich in expression into copying the peculiarities, of all others, which had been hackneyed by every crumb-

eater who needed out-door relief. In her own fun, in the humor in which she feels at home, as in the following description of Miss Linnet, in "Janet's Repentance," there is something as delicate as in her wit there is something pointed and searching: —

"And as to her intellect, her friend Mrs. Pettifer often said, 'She did n't know a more sensible person to talk to than Mary Linnet. There was no one she liked better to come and take a quiet cup of tea with her, and read a little of Klopstock's Messiah. Mary Linnet had often told her a great deal of her mind when they were sitting together. She said there were many things to bear in every condition of life, and nothing should induce her to marry without a prospect of happiness. Once, when Mrs. Pettifer admired her wax flowers, she said, "Ah, Mrs. Pettifer, think of the beauties of nature!" She always spoke very prettily, did Mary Linnet; very different, indeed, from Rebecca.'"

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3. — *A Plea for the Queen's English; Stray Notes on Speaking and Spelling.* By Henry Alford, D. D., Dean of Canterbury. Second Edition. London and New York: Alexander Strahan. 1865. 16mo. pp. xvi., 287.

It may seem late to undertake the criticism of a book the second edition of which has been already some time before the public. But the first edition, which appeared a few years since (in 1863), although not passing without some slight notice in our literary journals, attained no American circulation, and made no impression upon our community. The enterprise of the publisher has succeeded in procuring for the work in its new form so wide a currency among us, and in attracting to it so much attention, that it becomes worth while seriously to inquire into its merits, and estimate its right to be accepted as an authority. This, however, as much for the sake of challenging a popularity and consideration which may turn out undeserved, as from regard to the good or harm which the book is likely to do. For it makes no great pretensions to a wide scope, or to philosophic method and profundity. It styles itself "Stray Notes on Speaking and Spelling," and is composed of desultory and loosely connected remarks on errors and controverted points in orthography, orthoëpy, and grammar, written in part, as its author takes pains to inform us, at chance moments of leisure, in cars and eating-houses and other such places. Criticism, it is plain, should not be disarmed by such acknowledgments, since no man has a right to thrust his odd thoughts before us who cannot make them fully worth our acceptance. The Stray Notes grew by degrees into their present form. They were put together first into lectures, and then became a series of

articles in a weekly newspaper. These attracted much notice, and called out abundant correspondence and comment, so that the successive papers took on a shape in part controversial and replicatory. The same was their fate after their collection into a volume; and the second edition is not a little altered from the first, under the process of criticism and reply. They have had, it will be seen, a rather peculiar history, calculated to provoke our curiosity. The author is an English divine, of considerable note as critical editor and commentator of the Greek text of the New Testament, and has also acquired some fame in his earlier years as a writer of verses. We should naturally, then, explain to ourselves the popularity which the work has won by the critical and scholarly ability and the elegant style it is found to display. Such qualities, added to the general and attractive interest of the subjects, ought to be enough to insure a notable career to even a heavier volume.

It is unfortunate, however, for the American student, who is desirous to draw from this source valuable instruction as to the best usage of his mother-tongue, that he finds himself repelled, almost at the start, by a violent ebullition of spite against his native country. The reverend author, namely, is engaged in magnifying his office as polisher of the habits of speech of English speakers, by showing the exceeding and deep-reaching importance of attention to niceties of diction; and he holds up Americans to reprobation for "the character and history of the nation, its blunted sense of moral obligation and duty to man, its open disregard of conventional right where aggrandizement is to be obtained, and, I may now say, its reckless and fruitless maintenance of the most cruel and unprincipled war in the history of the world." (p. 6.) This, it is true, was written before Lee's surrender. Since the end of 1864 we have changed all that; and, in our zeal after self-improvement, we can well afford to pardon a few hard words to a "dignitary of the Church of England," who has given his ardent sympathies to the cause of Secession and Slavery, provided only he shall make good his claim to be our instructor in his proper department. Still, we cannot but form the suspicion that our author is somewhat under the dominion of class and national prejudices, and either careless of seeking information as to subjects upon which he is very ready to offer his opinion, or not acute in judging and profiting by information obtained. And further, it cannot but seriously shake our confidence in his philological acumen to find that our dreadful example is intended to "serve to show" the horrified British nation "that language is no trifle"! Our astonished inquiries into the connection of such a warning with such a lesson bring us to see that the Dean attributes our viciousness to the infelicities of our speech, since "every important feature in a people's language is re-

flected in its character and history." We had always thought, it must be owned, that the "reflection" was in the opposite direction, — that character and history determined language. It is perhaps allowable to say, by a kind of figure, that a man's image in the glass is reflected in his person; and it is certain that, if we can make the image transcendently lovely, the man himself will be sure to turn out a beauty; only we cannot well reach the image save through the man himself. In like manner, if we can train the masses of a people to speak elegantly, doubtless we shall change their character vastly for the better; but the improvement will be only in a very subordinate degree due to the reflex action of language: it will rather be the direct effect of the process of education. Our suspicions of the soundness of our philological authority, thus aroused, are not precisely lulled to sleep by an examination of the other incentives he offers to exactness of speech. We are pointed to the example of the Apostle Peter, when accused by the bystanders of being a Galilean, on the ground of his Galilean dialect. "So that," says our author, "the fact of a provincial pronunciation was made use of to bring about the repentance of an erring Apostle." It is not easy to see the point of the argument here made. One might rather be tempted to infer that a provincial pronunciation is a good thing, and deserves encouragement, if it could become the means of so important a conversion; who knows but that our own local idioms, carefully nursed and duly displayed, may somehow be made to work out our salvation? But there is a worse difficulty behind; and really, if Mr. Alford were not a Dean and an editor of the New Testament text, we should be inclined to accuse him of neglecting his Bible. According to the received reading of the Evangelists, (we have not examined Dean Alford's edition,) the charge brought against the saint that he did not talk good Jerusalem Hebrew, had for its sole effect to draw from him a repetition of his former lying denial, along with a volley of oaths and curses (luckless Peter! he forgot that his native dialect would only show more distinctly in such an outbreak of passion); and it was the crowing of the cock that brought about his repentance. So that, after all, the lesson we learn must be that, if we will only repress our local peculiarities of speech, we shall be less exposed to being detected in our wickedness; or else, that we must beware of accusing any one of dialectic inaccuracies, lest thereby we drive him to greater enormity of sin. Our author has perverted, without appreciable gain, a text which would not bend to his purpose in its true form.

We are now tempted to examine the other case cited by the Dean in this department, and see whether it will not, perhaps, give us a higher idea of his qualifications as a critic of language. He speaks (p. 7 seq.)

of the spurious poems of Rowley as having been in part detected by their containing the word *its*, — a word which was not in good use in Rowley's time. So far, all is well. But then he goes on to discourse concerning the infrequency of *its* in early English, and the employment of *his* for it, evidently in total ignorance of the reason, namely, that *his* was in Anglo-Saxon, and hence also for a long time in English, the regular genitive case of *it* (A. S. *hit*), not less than of *he;* and that the introduction of *its* was a popular inaccuracy, a grammatical blunder, such as the introduction of *she's* for *her* would be now. To the general apprehension, *his* stood in the usual relation of a possessive case, formed by an added *'s*, to *he*, and had nothing to do with *it;* and so popular use manufactured a new regular possessive for *it*, which was finally, after a protracted struggle, received into cultivated and literary styles, and made good English. Hear, on the other hand, our author's explanation of the rarity of *its* during the period from Shakespeare to Milton: "The reason, I suppose, being, that possession, indicated by the possessive case *its*, seemed to imply a certain life or personality, which things neuter could hardly be thought of as having." A more fantastic and baseless suggestion is rarely made; it is so empty of meaning that we can hardly forbear to call it silly. There was not at that period a neuter noun in the language that did not form a possessive in *'s* with perfect freedom. Who can fancy Shakespeare doubting whether a table really had or possessed legs, as well as a horse or a man; or as being willing to say "a table's legs," but questioning the propriety of "a table on *its* legs"? or how were the Bible translators avoiding the ascription of possession to things inanimate by talking of "the candlestick, *his* shaft and *his* branch," and so forth, instead of "*its* shaft and *its* branch"?

If these, then, are fair specimens of our author's learning and method, we must expect to find his book characterized by ignorance of the history of English speech, inaccuracy, loose and unsound reasoning, and weakness of linguistic insight. And we are constrained to acknowledge that such expectations will be abundantly realized in the course of a further perusal of the work. Let us cite a few more specimens.

Perhaps the most striking example we can select of the Dean's want of knowledge on philological subjects is his treatment of the word *neighbor*. "This," he says (p. 12), "has come from the German *nachbar!*" but he adds in a foot-note that the derivation has been questioned; that a Danish correspondent thinks it should be referred to the Danish or Norse *nabo;* and he has himself chanced to observe "that the dictionaries derive it from the Anglo-Saxon *nehyebur*." He does not venture to judge a matter of such intricacy, and simply leaves in

the text his original etymology from the German. This is very much as if we were to be in doubt whether to trace a friend's descent from his grandfather, or from one or other of his second-cousins, finally inclining to a certain cousin, because with him we ourselves happened to be also somewhat acquainted. Certainly one who can display such ignorance of the first principles of English etymology ought to be condemned to hold his peace forever on all questions concerning the English language.

The case is the same wherever a knowledge of the history of English words ought to be made of avail in discussing and deciding points of varying usage. Thus, when inquiring (p. 46 seq.) whether we ought to say *a historian* or *an historian*, and instancing the Bible use of *an* before initial *h* in almost all cases, he omits to point out that *an* is the original form, once used before both consonants and vowels, and that, when it came by degrees to be dropped before consonants, for the sake of a more rapid and easy utterance, it maintained itself longest before the somewhat equivocal aspiration, *h*. He is right, we think, in not regarding the rule for using *an* before the initial *h* of an unaccented syllable as a peremptory one. The better reason is on the side of the more popular colloquial usage; if the *h* of *historian*, like that of *history*, is to be really pronounced, made audible, *a* ought properly to stand before it, as before the other. But no Biblical support can make of such a combination as *an hero* aught but the indefensible revival of an antique and discarded way of speaking.

So, also, Dean Alford (p. 48) fails to see and to point out that, in the antiquated phrase *such an one*, we have a legacy from the time when *one* had not yet acquired its anomalous pronunciation *wŭn*, but was sounded *ōne* (as it still is in its compounds *ōnly*, *alōne*, *atōne*, etc.). As we now utter the word, *such an one* is not less absurd and worthy of summary rejection from usage than would be *such an wonder*.

The discussion, again, of "better than *I*" or "better than me" is carried on (p. 152 seq.) without an allusion to the fact that *than* is historically an adverb only, the same word with *then*, and has no hereditary right to govern an accusative, as if it were a preposition. "He is better *than* I" is, by origin, "he is better, *then* I," — that is to say, "I next after him." Linguistic usage has, indeed, a perfect right to turn the adverbial construction into a prepositional; but, as the former is still in almost every case not only admissible, but more usual, the tendency to convert the word into a preposition is not one to be encouraged, but rather, and decidedly, the contrary.

It might be deemed unfair to blame our author for his equally faulty discussion of the question between the two forms of locution, "it is *I*"

and "it is *me*," because his correspondents and the correspondents of some of the English literary journals (which have been the arena of a controversy upon the subject much more ardent than able, within no long time past) are just as far as he is from doing themselves credit in connection with it. What he cites from Latham and (in a note) from Ellis is tolerably pure twaddle. It may well enough be that "it is *me*" is now already so firmly established in colloquial usage, and even in written, that the attempt to oust it will be vain; but the expression is none the less in its origin a simple blunder, a popular inaccuracy. It is neither to be justified nor palliated by theoretical considerations, — as by alleging a special predicative construction, or citing French and Danish parallels. There was a time when to say "*us* did it" for "*we* did it," "*them* did it" for "*they* did it," was just as correct as to say "*you* did it" for "*ye* did it"; but usage, to which we must all bow as the only and indisputable authority in language, has ratified the last corruption and made it good English, while rejecting the other two. He would be a pedant who should insist in these days that we ought to say *ye* instead of *you* in the nominative; but he would also have been worthy of ridicule who, while the change was in progress, should have supported it on the ground of a tendency to the subjective use of the accusative, and cited in its favor the example of the Italian *loro*, "them," for *elleno*, "they," as plural of respectful address. And so long as it is still vulgar to say "it is *him*, it is *her*, it is *us*, it is *them*," and still proper and usual to say "it is *I*," our duty as favorers of good English requires us to oppose and discountenance "it is *me*," with the rest of its tribe, as all alike regretable and avoidable solecisms.

Of course the Dean puts his veto (p. 253) upon *reliable*; men of his stamp always do. He alleges the staple argument of his class, that *rely-upon-able* would be the only legitimate form of such a derivative from *rely*. They ought fairly to put the case somewhat thus: "It is *unaccount-for-able*, not to say *laugh-at-able*, that men will try to force upon the language a word so *take-objection-to-able*, so little *avail-of-able*, and so far from *indispense-with-able*, as *reliable*"; then we should see more clearly how much the plea is worth.

Of course, again, our author sets his face like flint against writing *or* instead of *our* at the end of such words as *honor* and *favor*; and that upon the high and commanding consideration that to simplify the termination thus "is part of a movement to reduce our spelling to uniform rule as opposed to usage" (p. 10); that it "is an approach to that wretched attempt to destroy all the historic interest of our language, which is known by the name of *phonetic* spelling" (p. 14), — and upon the phonetic movement he proceeds to pour out the vials of his ponder-

ous wit and feeble denunciation. On the whole, we think the phonetists are to be congratulated on having the Dean for an adversary; his hostility is more a credit to them than would be his support. There are a host of difficulties in the way of the phonetic spellers which they themselves, or many of them, are far from appreciating; but they are not of the kind which Mr. Alford seeks to raise. No one wants to set up rule against usage, but only to change usage from a bad rule to a good one. And our language has a store of historic interest which would not be perceptibly trenched upon, even if we were to take the liberty of writing our words just as we speak them. Our present spelling is of the nature of a great and long-established institution, so intimately bound up with the habits and associations of the community that it is wellnigh or quite impregnable. But a philologist ought to be ashamed to defend it on principle, on theoretical grounds. He, at any rate, ought to know that a mode of writing is no proper repository for interesting historical reminiscences; that an alphabetic system has for its office simply and solely to represent faithfully a spoken language, and is perfect in proportion as it fulfils that office, without attempting to do also the duty of Egyptian hieroglyphs and Chinese ideographs. No other so great linguistic blessing could be conferred upon the English language and the people who speak it as a consistent phonetic orthography.

It is calculated profoundly to stagger our faith in Dean Alford's capacity as an interpreter and expositor of difficult texts to find him guilty of explaining (p. 105) the reflexive verb *to endeavor one's self* by "to consider one's self in duty bound," and of asserting that this "appears clearly" from the answer made by the candidate for ordination to the bishop's exhortation to diligence in prayer and other holy exercises, "I will *endeavor myself* so to do, the Lord being my helper." Not only does this answer exact no such interpretation of the phrase as the one given by the Dean, but it even directly and obviously suggests the true meaning, "to exert one's self, to do one's endeavor."

A similar paucity of insight is exhibited in our author's theory (p. 86), that the origin of the double comparative *lesser*, for *less*, is to be traced to the "attraction" of the dissyllabic word *greater*, with which it is not infrequently found connected in use. No such effect of attraction as this, we are sure, can be found in any part of our English speech. The true reason of the form is not hard to discover: it lies in the extension of a prevailing analogy to one or two exceptional cases. *Less* and *worse* are the only comparatives in our language which do not end in *r*; and *er* is accordingly so distinctly present to the apprehension of the language-users as sign of comparative meaning that they have gone on,

naturally enough, to apply it to those two also, thus assimilating them to the rest of their class. The only difference in the result is, that *lesser* has been fully adopted, in certain connections, into good usage, while *worser* is still almost a vulgarism, though employed now and then by writers of undoubted authority.

Nor can we ascribe any greater merit to the Dean's treatment of the preposition *on to* or *onto*, used to denote motion, as distinguished from locality or place, denoted by the simple preposition *on:* thus, "The cat jumped *on to* the table, and danced about *on* the table." Such a distinction, as every one knows, is often made in colloquial style, but is not yet, and perhaps may never be, admitted in good writing; this tolerates only *on*. Our author is not content with denying that *on to* is now good writable English; he tries to make out that there is no reason or propriety in attempting to express any such difference of relation as is signified by the two separate forms. His argument is this: if we say, "The cat jumped *on* the table," or if the tired school-boy, begging a lift on his way, gets from the coachman the permission, "All right, jump *on* the box," will there be any danger of a failure to understand what is meant? Of course not, we reply; but neither should we fail to understand, "The dog jumped *in* the water, and brought out the stick"; nor would Tom be slow in taking, and acting on, coachee's meaning, if the reply were, "Jump *in* the carriage." The question is not one of mere intelligibility, but of the desirableness of giving formal expression to a real difference of relation, — as we have actually done in the case of *in* and *into*. *On to*, says our author (p. 181), is not so good English as *into*, "because *on* is ordinarily a preposition of motion as well as of rest, whereas *in* is almost entirely a preposition of rest." This is an amusing inversion of the real relations of the case: in fact, *in* is a preposition of rest only, because we have *into* in good usage as corresponding preposition of motion; *on* is obliged to be both, because *onto* has not won its way to general acceptance. The double form would be just as proper and just as expressive in the one case as in the other, and there is no good reason why we should not heartily wish that *onto* were as unexceptionable English as *into*, whether we believe or not that it will ever become so, and whether or not we are disposed to take the responsibility of joining to make it so. Every German scholar knows how nice and full of meaning are the distinctions made in the German language, as regards these two and a few other prepositions, by the use after them of a dative to denote locality and an accusative to denote motion. The Anglo-Saxon was able to accomplish the same object by the same means; but we have, in losing our dative case, lost the power to do so, and have only partially made up the loss, by coining, during the modern

period, such secondary words as *into* and *onto*, that they may bear a part of the office of *in* and *on*.

We will barely allude to one or two more instances of a like character: such are our author's conjecture (p. 67) that our separation of *mănifold* in pronunciation from *many* is due to the influence of its felt analogy with *mănifest;* his attempt (p. 91) to find an etymological reason for the translation, "Our Father *which* art in heaven," instead of "*who* art"; his theory (p. 42) that the conjunction of the two words "humble and hearty" in the Prayer-Book is good ground for holding that the first as well as the second was pronounced with an aspirated *h;* his apparent assumption (p. 25) that the *'s* of *senator's* represents the Latin *is* of *senatoris* (or is it only his confused expression that is to blame here?), — and so forth.

These are but the more prominent and striking illustrations of Dean Alford's general method. We may say without exaggeration that — especially in the first half of the book, where questions are more often dealt with that include historical considerations and call for some scholarship — there is hardly a single topic brought under discussion which is treated in a thorough and satisfactory manner, in creditable style and spirit: even where we are agreed with our author's conclusions, he repels us by a superficial, or incomplete, or prejudiced, or blundering statement of the reasons that should guide us to them. It is almost an impertinence in one so little versed in English studies to attempt to teach his countrymen how they ought to speak, and why.

The last half of the work deals prevailingly with syntactical points, requiring to be argued rather upon rhetorical than grammatical grounds. But, though in a measure exempt from the class of criticisms which we have found occasion to make above, it is not without its own faults. The Dean's chief hobby throughout is the depreciation of "laws," whether of the rhetorician or of the grammarian, and the exaltation of "usage" as opposed to them. He has, of course, a certain right on his side, yet not precisely as he understands it. The laws he rejects are only meant to stand as expressions of good usage; nor do those who set them up arrogate to them peremptory and universal force, but rather a value as guiding principles, attention to which will save from many faults the less wary and skilful. No one holds that he who has not native capacity and educated taste can become by their aid an elegant writer; no one denies that he who has capacity and taste may cast them to the winds, sure that his own sense of what is right will lead him to clear and forcible expression. But we have all heard of a class of people who inveigh against "laws," and would fain escape judgment by them; and the very vigor of the Dean's recalcitrations inspires us with suspi-

cions that there may be good cause for his uneasiness. And so it is: he has not in any eminent degree that fine sense which enables one to write without rule a pure and flowing English. His style is always heavy and ungraceful, and often marked with infelicities and even inaccuracies. As many of our readers are aware, he has received on this score a terrible scathing from Mr. Moon, in a little work happily entitled "The Dean's English," by way of answer to "The Queen's English." To this we refer any one who may be curious to see the other side of his claim to set himself up as a critic of good English properly exposed. The professed general views he puts forth are in no small part special pleadings, rather, against the criticisms of his censors. He appears to suppose that any somewhat inaccurate or slovenly phrase or construction of his for which he can find parallels in our Bible translation and in Shakespeare is thereby hallowed and made secure against attack, unmindful that our style of expression has in many points tended toward precision and nicety during the last centuries, so that not everything which was allowed in Shakespeare's time will be tolerated now; and further, and more especially, that great writers may be pardoned in taking now and then liberties which, if ventured on by little men, like him and ourselves, will be justly visited with reprobation.

It is our opinion, therefore, upon the whole, that the English-speaking public would have lost little had our author's lucubrations been confined to the "Church of England Young Men's Literary Association," for which they were originally intended, and which doubtless received them with unquestioning faith, and had he never brought them out where Dissenters and other irreverent outsiders should carp at them. The circulation and credit they have won in this country are mainly a reflection of the unusual attention which has been paid them in England; and the latter is partly fortuitous, the result of a combination of favoring circumstances, partly due to the general interest felt in the subject of the work, and a curiosity to hear what a man of high position and repute for scholarship has to say upon it; and in part it is an indication of the general low state of philological culture in the British Isles. We cannot wish "The Queen's English" a continued currency, unless it be understood and received by all for just what it is, — a simple expression of the views and prejudices of a single educated Englishman respecting matters of language; having, doubtless, a certain interest and value as such, but possessing no more authority than would belong to a like expression on the part of any one among thousands of its readers. Its true character is that of a sample of private opinion, not a guide and model of general usage.

4. — *Principles of Social Science.* By H. C. Carey. Philadelphia. 1858 – 60. 3 vols. 8vo.

A very popular mode of philosophizing on social subjects is that well described by Mr. Mill as the Chemical Method. Divested of rhetorical ornament, the bare frame-work of the logic is of some such form as this: In Greece and Italy where they adopted policy A, the good effects E, F, G resulted, while in France and Russia, where they adopt policy B, the evils I, K, and L prevail. Therefore, if you would enjoy these good effects, you must adopt policy A, and avoid policy B. This is as effective a mode of reasoning as the popular orator can adopt, its immediate appeal being to the instinct of self-preservation rather than the reason. As neither reasoning nor examination is necessary to make an infant, who has burnt its fingers on the stove, avoid it months after the fire is out, so most of his hearers will feel afraid of policy B, without inquiring whether it was really the cause of the evil effects pointed out.

The natural effect of this method is to make man the creature of society. Indeed, we might almost say that it consists in viewing man as the creature of society. It views mankind as the chemist views a compound whose properties are to be learned by trial alone. Of individual men, their motives and their springs of action, it knows no more than the chemist knows of the molecular forces which produce the changes he observes.

Herein lies the great defect of the method. We do know a great deal about individual men and their motives. Society being made up of individuals, this knowledge may be very valuable in enabling us to discover or account for social laws. On the other hand, the forces which act in society are so diverse in different countries and ages that the chemical method can scarcely ever lead to any certain result.

The "law of averages" furnishes an excellent illustration of the defect to which we refer. If we collect and count up almost any class of actions of individuals in a community, we shall find them to exhibit a remarkable constancy from month to month and year to year, no matter how accidental and trivial they may seem. As examples, Mr. Buckle cites the number of murders in France, and the number of letters dropped into the London post-office without superscription, in each year. When we see such laws, it is very natural to view them as laws which in some way govern the acts of individuals, or lessen the sphere of individual volition. Neither Buckle nor Quetelet seems entirely free from this idea. But the mathematical theory of probabilities shows that, so far from the law being the result of any cause which limits volition, it is

the necessary result of that individual independence of society which every one is conscious of enjoying; and the more complete this independence of the acts of each individual, the more certainly will the law be carried out. Hence the ratio of undirected or misdirected letters ought to be more constant from year to year than that of crimes.

Were it not for the extent and gravity of the work which we have taken for our text, it might be taken for a burlesque upon the chemical method. The latter is adopted in the beginning, and, with here and there an insignificant exception, adhered to vigorously to the end, regardless of consequences. It is used to prove the political economy of the seventeenth century mainly right, and that of the nineteenth all wrong, and to defend the commercial systems of China and Austria against those of England and America. In his Preface, Mr. Carey expresses the opinion that there exists "but a single system of laws, — those instituted for the government of matter in the form of clay and sand proving to be the same by which that matter was governed when it took the form of man or of communities of men." The natural result is to look upon man the individual as having no more power over his own destiny than the particles of a chemical mixture. Of an animal capable of adapting himself to circumstances, applying means to ends, alive to his own interests, sharp at a bargain, disposed to take time by the forelock, the author seems but in one or two instances to have any conception. His "Man" is a mere puppet dancing about under the influences of forces which he calls "Policy," "Trade," "Centralization," "Individuality," etc. The entire field of human history is surveyed for the purpose of showing the effect of these forces upon him. The protecting hand of government is invoked to legislate into being such forces as tend to make him rich and happy.

That many empirical laws of human action and human progress can thus be discovered, we do not deny. But the mode of operation of these laws, and the causes and limits of their action, can never be discovered by mere observation of society. Every man capable of reflecting upon his own motives is conscious that his acts are not governed by any of the above forces. He works and sells and buys, not in forced obedience to social laws, but for the purpose of gratifying some desire or attaining some end. Looking at his fellow-men, he is irresistibly led to the conclusion that their acts proceed from a similar cause. Now acts caused by the desire to attain an end are necessarily found in mind alone, and can never be exhibited by matter, nor learned by viewing men as moved by laws like those which move matter. Hence they are those to which Mr. Carey's method is least adapted. And nothing is more certain than that all the acts of man in the pursuit of wealth pro-

ceed from this cause. Hence we may expect truth in our author's social science only when he leaves the domain of political economy, which is really his main subject, or limits the application of his philosophy by the rules of good sense. How far he does this may be judged by a few examples first of his doctrines and then of his reasoning.

One doctrine is, that man tends "of necessity" to gravitate toward his fellow-men, and the greater the number collected in a given space, the greater is the attractive force there exerted, as is now seen in Paris and London, New York and Boston. Gravitation is here, as in the material world, in the direct ratio of the mass, and in the inverse one of the distance. London and Paris may be regarded as the rival suns of our system, each exercising a strong attractive force; and were it not for the counter attractions of local centres like Vienna and Berlin, Madrid and Lisbon, Europe would present to view one great centralized system, the population of which would be always tending toward those two cities, there to make their exchanges and there to receive their laws, and all the members of the human family would finally tend to come together on a single spot of earth.

We claim that the reason why the human race do not congregate at London and Paris is, that they have too much good sense. Mr. Carey asserts that it is the attraction of Berlin, Vienna, etc. Herein lies the difference of our views of human nature and methods of philosophizing.

The great foe of human progress, according to Mr. Carey, is trade, the ally of war to prevent the spread of civilization. "Trade," says our author in his table of contents, "tends towards centralization, and towards disturbance of the public peace, — war and trade regard man as the instrument to be used." "Soldiers and traders always in alliance with each other." "War and trade the characteristics of the early period of society." "Necessity for the services of the warrior and the trader diminishes with the growth of wealth and population." "Close connection between war and trade visible in every page of history." "The richer soils abandoned in all the countries in which war or trade obtains the mastery over commerce." In another place we find that, half a century since, India exported cotton cloth to all the world. "Trade, however, subsequently carried the day, compelling its unhappy subjects to the free importation of cotton cloth from Europe."

But by what agency did trade "compel its unhappy subjects"? Had the latter no free-will, — no power of self-defence? This is the great mystery which our author does not attempt to solve. His most specific allegation against the trader, an allegation which he repeats at least six times in the course of thirty-nine pages,* is, that "he buys men

* Vol. I. pp. 209, 210, 215, 218, 235, 248.

and merchandise when and where they are cheap, and sells them when and where they are dear." Now we had really supposed that "buying things when and where they were cheap, and selling them when and where they were dear," was a general characteristic of the human race. Nay, more, we supposed that, buying where goods were cheap, the trader bought where money was wanted most and the goods wanted least; and that, selling when and where they were dear, he sold just when and where they were most wanted, so that he advanced the public good by consulting his own. If Mr. Carey is right, we trust an act will speedily be passed by Congress requiring every one to buy his groceries when and where they are dear, and to sell his own goods to the lowest bidder.

In fine, Mr. Carey's theory of trade and traders is all incomprehensible, except the conclusion, which is, that international trade should be in great part suppressed by act of Congress.

Yet another mysterious conclusion is that the border-ruffian outrages in Kansas, and every other infraction of public law in our country during the ten years preceding the Rebellion, were the result of our abandoning the protective policy. As the paragraph is a fair specimen of half the reasoning in the work, we present it in full.

"Freedom and peace come with the growing power of a government to rely upon direct and honest application to the people for the means required for its support. Declining freedom among the people and war among the nations are the companions of growing centralization and indirect taxation. How far the truth of this is proved by American experience is seen in the facts, that thirty years since, when the policy of the country tended towards the creation of domestic markets for the farmer, towards increasing the value of labor and land, towards entire freedom of intercourse abroad and at home as a consequence of protection, and towards the ultimate substitution of direct for indirect taxation, the public expenditures but little exceeded $10,000,000. Fleets and armies then required only $ 6,000,000, — peace with all nations, as a consequence of respect for the rights of all, being then the habitual condition of the country. Ten years later, trade having meantime been adopted as the policy of the country, the expenditures for fleets and armies had been already tripled. Five years later, the policy of peace and commerce having for the moment been readopted, the expenditure for military purposes fell to $12,000,000. Since then, trade having been, to all appearance, finally adopted as the policy of the country, the cost of army and navy has risen to $ 30,000,000; and the results are seen in a perpetual succession of foreign and domestic wars. The sister republic of Mexico has been invaded and dismembered. Cuba has been attempted. Greytown has been destroyed. Japan has been visited and threatened. Chinese forts have been destroyed. Indian tribes have been annihilated. Civil war has raged in Kansas, and vigilance committees have governed California. Preparatory to further wars, expeditions have been fitted out for the exploration of Afri-

can and South American rivers, while expensive missions have been sent to Persia, China, and other countries." — Chap. XLIV. § 8.

Those who have previously applied the chemical method to the investigation of social problems, even while ignoring the true chain of cause and effect, have usually tested their conclusions, if not their methods, by their agreement with common sense. But Mr. Carey interchanges cause and effect, not only where their relation is intricate, but where it is obvious to any one who can think at all. We shall give two instances, not on account of their intrinsic importance, but because their logic is of a kind which is poured forth in this and every other free country, from the press, the rostrum, and the senate.

Referring to the causes of the increase of capital, he says: —

"We are told, however, and from high authority, that 'it is only by means of saving that fortunes are created or increased,' — a distinguished English economist confidently assuring us that 'all capital is the product of saving, that is, of abstinence from present consumption for the sake of a future good'; and that consequently 'the increase of capital must depend upon two things, — the amount of the fund from which saving can be made, and the strength of the dispositions which prompt to it.'"

This statement is so obvious, that we should expect every one to accede to it at once. That Robinson Crusoe could make his first wooden plough only through abstaining from the comforts or pleasures he might have commanded while engaged in making it, and that the object of this abstinence was only a future good, since he would reap no benefit from his plough till his crop was grown; that in civilized society a mill or a railroad can be built or a mine dug only by saving money and materials to purchase the labor of making or digging, and that the object of this saving can be attained only after the lapse of years; that the people of Boston would never have spent millions to bring the Cochituate water to their city, had they not been willing to abstain from the immediate enjoyment those millions might afford them for the sake of having plenty of water in future years; and that consequently the plough, the mill, the railroad, and the aqueduct are all the result of abstinence from present consumption for the sake of a future good, — all this is so transparent that no ordinary mind would think of disputing it. But Mr. Carey does vehemently dispute it, and on grounds as strange as the fact itself. We should naturally expect him to show in what our mistake consisted. But no, he runs off to Ireland, India, and Lapland to disprove the proposition. If this be so, he argues, we shall find that in India, Ireland, and Lapland, where saving is most practised, there capital will increase most rapidly.

Here is a new logic.

"If people want capital, they must save," says Mr. Mill.

"The people of Ireland and India save," replies Mr. Carey, "therefore, according to you, they must increase their capital."

Why did not Mr. Carey write us a Logic? He would have made as great havoc with the modern theory of dependent propositions, and the modern doctrines of induction, as he has with the modern political economy. He would have revolutionized other sciences, medicine, for example, as well as social science. "Quinine tends to prevent and cure intermittent fever," say the physicians. "If this be really so," replies the new logic, "where men use most quinine, there we shall find least intermittent fever. But, looking over the country, we find the facts directly opposed to the medical theory. In the swamps of Michigan, the low lands near the Mississippi, and the Eastern Shore of Maryland and Virginia, where people use most quinine, there we find most intermittent fever. Nay, more, we find the disease invariably following any extraordinary importation of quinine into those regions. In August and September of every year there is a flow of quinine thither, and the result is always seen in the breaking out of intermittent fever in October. So far from tending to prevent it, quinine, therefore, tends to produce it."

Most people would say that pouring water into a barrel tends to fill it. But if we look at a set of men pouring water into barrels, we shall see that the barrels into which they are pouring no water are the full ones, while those into which water is being poured are comparatively empty. From this fact, the chemical method concludes that pouring water into barrels tends to make them empty. To precisely such a conclusion does Mr. Carey come when he maintains that, the more gold you bring into a country, the more valuable you make it. Every one knows that in England and India, where a great deal of gold is used in the arts and none produced, that metal is necessarily more valuable than in California and Australia, where a great deal more is produced than is consumed, and that, in consequence of this inequality, gold flows from the latter countries to the former. In the table of contents of the second volume, Mr. Carey gives the following analysis of his way of disproving the erroneous notion that a flow of gold into a country tends to diminish its value, and therefore (gold being the standard of value) to increase the price of all other commodities: — "Economists assert that the only effect of an influx of the precious metals is that of rendering a country a good place to sell in, but a bad one in which to buy. That theory is contradicted by all the facts of history, the direct tendency of such influx having, and that invariably, been that of re-

ducing the prices of the finished commodities required by those who have gold and silver for sale." (Chap. XXXI. § 8.)

That is, the more gold flows into a country, the less you will have to give for a barrel of flour, a suit of clothes, or any other "finished commodity"! If gold became so plenty that we could pick it up in the streets, we suppose flour ought, by the new theory, to fall to one dollar per barrel.

Such are the grounds on which we find the commercial system of the seventeenth century maintained against the free-trade ideas of the nineteenth.

The chemical rule for getting rich is extremely simple. It looks over the world and back into history to learn what phenomena accompany wealth. It then assumes that the artificial production of these phenomena in our country will necessarily result in increased wealth and diversity of industry. The finer manufactures always mark wealthy and populous nations. Hence it advocates such restrictions on trade as tend to produce diversity of industry as a means of increasing wealth. By the same reasoning the inhabitants of Pike's Peak ought to build marble palaces and encourage the fine arts, because these invariably precede the highest stage of wealth and civilization. Did the manufactures, and they alone, cause the wealth? Or were wealth, manufactures, and diversity of industry all part of the regular and natural growth of the country, each new employment appearing just when it was wanted for the public good? This question the chemical method can never answer.

Let us not be understood as condemning every application of the method in question. It is indeed rude and imperfect; but our knowledge of human nature is also in many points too rude and imperfect for the application of superior methods. We have already indicated the conditions which limit its action. In the investigation of those laws of human progress and of the formation of character which are not the result of design, it may, to a limited extent, serve both as the basis of our investigations and the final test of our conclusions. We may say, as a general rule, that all those causes which make man what he is come under this category.

But, man as he is being known as an element of the problem, the method is no longer applicable. Man is surrounded by difficulties to be overcome and evils to be avoided. A great part of his works are designed to surmount the difficulties and avoid the evils. The social chemist, looking upon mankind, sees the evils, and the works designed to prevent or remove them, as invariably coexistent phenomena. He seeks a lesson from this relation of cause and effect. The conclusion

will be, either, (1.) that the works are the cause of the evils, and therefore to be discouraged; or, (2.) that the evils are the cause of the works, and therefore to be encouraged in order that the latter may be as effective as possible. Mr. Carey's protection theory is of the latter class. Reduced to a syllogistic form it stands thus: —

The nearer the producer and consumer, and the greater the diversity of industry in a community, the more perfectly will the wants of the community be satisfied.

But the more perfectly you cut off the foreign supply, the greater will be the diversity within, and the nearer will be the producer and consumer.

Therefore, the more perfectly you cut off the foreign supply, the more perfectly will the wants of the community be satisfied.

Which is exactly parallel to,

The thicker men build their houses, the warmer they will be.

But the colder you make the climate, the thicker they will build their houses.

Therefore, the colder you make the climate, the warmer they will be.

Mr. Carey's work is principally valuable as an example of the possible aberrations of the human intellect, and of the absurdity of the popular method he adopts when applied to questions of practical statesmanship.

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5. — *Thirty Years of Army Life on the Border. Comprising Descriptions of the Indian Nomads of the Plains; Explorations of New Territory; a Trip across the Rocky Mountains in the Winter; Descriptions of the Habits of different Animals found in the West, and the Methods of hunting them; with Incidents in the Lives of different Frontier Men*, &c., &c. By Colonel R. B. Marcy, U. S. A., Author of "The Prairie Traveller." With Numerous Illustrations. New York: Harper and Brothers. 1866. 8vo. pp. 442.

Colonel Marcy does not belong to that class of Western travellers of whom we have had so much in books ostensibly or occultly fictitious. He is neither able to follow blindfold the bewildering trail of the Camanche and Kickapoo, nor is he accustomed to put a dozen pistol bullets into the centre of a playing-card, held up by his most intimate friends, before breakfast every morning, as we in the less excited East take an early walk. He knew Captain Martin Scott, and yet no coon ever surrendered at the sound of his name. Being an educated army officer, he knows the value of a subdued style; and though occasionally speaking of himself with a freedom which is, to say the least, a little

unnecessary, he rarely forgets that it is not an autobiography, but an account of border life, that he is writing. He tells some good stories, and gives information interesting either to the traveller or student of the West.

In his Preface he very truly says: "A few years more, and the prairie will be transformed into farms, the mountain ravines will be the abodes of busy manufacturers, the aboriginal races will have utterly disappeared, and the gigantic power of American civilization will have taken possession of the land, from the great river of the West to the very shores of the Pacific. It cannot be entirely in vain that any one contributes that which he knows from personal experience, however little, to aid in preserving the memory of the people and the customs of the West in the middle of the nineteenth century. The wild animals that abound on the great plains to-day will soon be as unknown as the Indian hunters who have for centuries pursued them. The world is fast filling up." These facts make such a book much more valuable than would any mere merits of style or power of narration, and the value will increase as the life which it describes dies out. The more accurate and detailed the accounts we have of the Indians and border men of the present day, the better; for even if we save and civilize the Indian, neither he nor the pioneer will maintain their original character when the world is filled up. And we have received such interesting accounts, too, of what the inhabitants of the prairie were not, but ought to have been, that no harm is done in balancing the fancies of Cooper and Captain Mayne Reid by actual facts. We have found that, instead of being dusky, half-naked Bayards without fear or reproach, they are for the most part a set of begging thieves, with a rare passion for strong drinks, and a simplicity which, as it comes from brutal ignorance quite as much as from bravery and pride, we might better admire in the buffalo, if we want to admire it anywhere; and we have found the frontier man to be worse than the Indian, having the Indian's vices without the Indian's excuse. This picture Colonel Marcy does not reverse. He gives new reasons for believing in its truth. "All the prairie Indians I have met with are the most inveterate beggars. They will flock around strangers, and, in the most importunate manner, ask for everything they see, especially tobacco and sugar, and, if allowed, they will handle, examine, and occasionally pilfer such things as happen to take their fancy. The proper way to treat them is to give them at once such articles as are to be disposed of, and then, in a firm and decided manner, let them understand that they are to receive nothing else." (p. 41.)

And the following description of a frontier woman, on the one side,

shows the result of living among savages, and, on the other, gives a hint as to the probable consequences to the savages from association with the brutal outlaws who, in a mysterious way, are the *vedettes* of civilization. In 1848, Colonel Marcy made a halt at a respectable-looking farm-house near the Choctaw line in Arkansas. He asked a woman sitting upon the portico, which of two roads, forking near the house, led in a certain direction.

"She replied that 'she did n't adzactly mind, but she sort'r reckon'd her nigger gal mought tell me'; whereupon she called out in a loud, shrill voice, 'O-o-o-oh Gerushe!' but, as the servant did not respond, she said, 'Whar is that nigger?' and again cried out, in a still louder and more prolonged tone of voice, 'O-o-o-o-o-oh Gerushe!!!'"

When the negress, who was about seventy years old, appeared, the woman said, "You lazy, no-'count nigger, you gess tell this yere stranger whar these yere roads goes to, right quick, do ye hear?" When she had answered, "I asked the woman of the house the distance to the nearest post-office; but of this she had not the remotest idea, and again referred me to the servant, who at once gave me the information. Several other inquiries which I made of the mistress of the house only served to exhibit her ignorance of, and indifference to, everything that was transpiring around her. She almost invariably appealed for information to her antiquated African 'gal,' who seemed to be much better posted than her mistress; indeed, she appeared to be her sense-bearer, performing not only her physical drudgery, but also her mental functions."

This is a tame example of Southwestern border life, but shows well enough the ignorant brutishness of the population, and excites our sympathy for the Choctaws, who are forced by circumstances to live near such neighbors.

Colonel Marcy suggests that the Indians should be soundly thrashed, and then soundly civilized. We may be wrong in saying that this would be his unvarying rule; but certainly, in most cases, his advice would be to begin with what he would consider a necessary retaliation for the offences of the Indians, to show them that the injured white man is not to be trifled with. We fear that the savages, who feel themselves annually driven a little nearer the Pacific, and see in a few thousand men the remnants of millions, do not need to be told by the race that has done all this that it must not be trifled with. The policy of peace and good-will, which Secretary Harlan is said to have introduced into the Department of the Interior, is the only policy which can atone even a little for the outrages of the last two centuries.

6. — *Superstition and Force. Essays on the Wager of Law, — the Wager of Battle, — the Ordeal, — Torture.* By HENRY C. LEA. Philadelphia: Henry C. Lea. 1866. 12mo. pp. 407.

WERE this work the production of a European author, it would be readily accepted as a specimen of a sort of learning and a thoroughness of scholarship of which American literature could afford few examples. Its qualities would entitle it to distinction anywhere. But it is a remarkable book as the work of an American in America, and of one not given to letters as his profession. The double appearance of the name of Mr. Lea upon the title-page — first as author and then as publisher — shows that the active business in which he has long been engaged has not prevented him from carrying on studies which many a man of less zeal for learning would have found sufficient for the occupation of his days. And when, in addition to this, we know that he has for years given a large part of his time to the public service; that he has won the respect of his fellow-citizens by the ability and fidelity with which he has discharged the patriotic offices intrusted to him by their confidence; and that he has taken a large share in the work by which Philadelphia gained so high a renown during the war for loyalty and devotion to the cause of liberty, law, and Union, — our regard for the qualities displayed in this volume rises to admiration; and we cannot refrain from expressing our gratification that a considerable portion of it originally appeared in the pages of the North American Review.

The four essays which make up the volume are elaborate historical studies of one of the most obscure and interesting portions of the science of jurisprudence. But they are more than this. As a connected whole, they form a treatise which illustrates the progress of thought and of society through the operation of those influences which Mr. Lecky, in his recent work, has grouped together under the general and somewhat vague phrase of "Rationalism." With no theory to support, and led away by no fancies, Mr. Lea has laboriously investigated and skilfully presented the facts relating to his special topics, and has woven them together with a thread of commentary, so that their mutual bearings and relations may be exhibited, and correct conclusions deduced therefrom. The book is not intended so much for the general reader seeking only amusement as for the student desirous of solid information. The latter will, however, find in it abundant sources of entertainment, as well as of instruction. But it is not with the picturesque side of his subject that Mr. Lea is engaged; he leaves this attractive field to be occupied by less serious students, those who care more for the aspects than for the principles of things. The value of his book

is greatly enhanced by his constant and careful reference to the original authorities, and by his frequent well-chosen citations from them. These citations display his thorough acquaintance with the sources of information, and consequently with a class of books rarely studied. His notes viewed in connection with his text indicate an amount of research and a skill in historical investigation which those most familiar with the difficulties attending inquiries into the legal, social, and religious theories and systems of the Middle Ages will most highly estimate.

The unsettled state of society during the period between the fall of the Roman Empire and the establishment of the modern order in Europe, and the conflict between the traditions of the Roman usages and laws, and those of the races who overran and took possession of the Roman provinces, gave rise to an immense variety of local custom, and found expression in diversity of legal systems and practice. Certain general notions were, indeed, widely held, and in a limited degree prevailed to maintain a common order in the midst of confusion. But there is no other time in the history of the world when the theories which men accepted, and by which they pretended to regulate their conduct, possessed in reality so little control over it. The study of mediæval jurisprudence, therefore, apart from the special difficulties which attend the investigation of so complex a subject, is exposed to peculiar perplexities. A clear and patient intelligence, as well as unwearied diligence, is required to trace distinctly and without guess-work the outlines of any of the obscurer portions of its field.

Mr. Lea, in treating of the four methods of irregular evidence in use during the Middle Ages, enters upon an inquiry which forms part of one of the most important topics, not only of jurisprudence, but of history and moral philosophy. The whole subject of the nature of evidence, of the modes of investigating truth, of the credibility of testimony, of the trustworthiness of witnesses, is far from having received the attention which it deserves; and the results of the neglect with which it has been treated are obvious alike in the religious creeds and the legal practice of the most civilized nations. Unphilosophical notions upon the subject are common even among intelligent people; while the crudity, extravagance, and folly of the notions which still prevail among the ignorant are one of the most marked indications of the imperfections of our civilization.

One of the gloomiest chapters in the history of mankind is that of the miseries which have resulted from their errors in the search for truth, and the false methods adopted to discover it. And there are few more striking episodes in this chapter than that which Mr. Lea has set before us in his excellent volume. We see in the four customs the

origin and spread of which he describes remarkable instances of the aberration of the human intellect and misuse of human powers. For each of these customs, adopted and practised as a means for ascertaining and establishing the truth, was in its essence utterly opposed to a rational method of investigation. The Wager of Law, so called, which for at least five centuries held a prominent place in judicial proceedings from Italy to Scotland, affords an extraordinary instance of the contradiction between the end sought and the means adopted for its attainment. It consisted in the support of the oath of a person charged with crime by the oaths of a number of companions, who swore, not to their knowledge of the facts, but simply as sharers in the denial, in affirmation of the oath of the defendant. Originating, probably, in the principle of the unity of the family, and comprehended in that of the common responsibility of the tribe, it was adopted from the barbarians by the Church as a system well suited for the defence of her brotherhood of ministers in an age of brute force, and thus received a sanction from the religion which was to overcome the world in a worldly and not a spiritual sense. This practice did not decline till the Church grew strong enough to dispense with its aid, and the revival of the study of the Roman law introduced somewhat juster notions of the nature of judicial evidence.

But the Roman law itself is responsible for the introduction of the practice of torture as a means of eliciting the truth; and this horrible legacy was accepted by the Church during the Middle Ages, and for centuries formed a part of the civil law of Europe. The Church was consistent with her own doctrine in its employment, and good men were persecutors. The false notions that were common concerning evidence gave to the Church an authority that compelled the wisest men to folly, the best men to crime. Persecution is a legitimate consequence, judicial torture the true conclusion, from the doctrines even yet held by a majority of those who call themselves Christians.

These rude, ineffectual, and barbarous modes of obtaining evidence, which so long held the highest place in the judicial processes of our ancestors, exhibit the stumbling and difficult steps by which our present more humane, more intelligent methods of judicial inquiry have been reached. But though we have improved upon the past, there are still many relics of barbarism in our methods of procedure, and we still practise expedients upon which posterity may look back with much the same regard with that in which we hold these usages of the past.*

* In speaking of the system of the Inquisition, Mr. Lea says: "No means were too base and cruel. . . . . Pretended sympathizers were let into his [the prisoner's]

The writer who shall take up this subject of evidence, and treat it with learning, imagination, sense, and wisdom, will find in Mr. Lea's volume many illustrations ready to his hand, and will perform a most needed and useful work.

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7. — *National Academy of Design. Photographs of the new Building, with an Introductory Essay and Description.* By P. B. WIGHT, Architect. New York: S. P. Avery. 1866. fol. letterpress, pp. xii., with 8 pp. containing 15 Photographic Illustrations.

THE building to an account and illustration of which this architectural monograph is devoted is one of the most original, interesting, and important works of architecture erected during the present generation. It is constructed upon principles which lie at the foundation of all architectural excellence, and which, to the injury of art and the degradation of public taste, have hitherto been little regarded in our building.

Various causes have united to depress the art of architecture in America. From Maine to Texas, the number of buildings which have any just claim to the title of works of art may almost be counted upon the fingers. In spite of the enormous sums which have been spent upon buildings, especially during the last twenty years, we have accomplished almost nothing that deserves admiration, or that has such merit as to be other than a discredit to our culture and our aims. We have built little that future generations will care to preserve, and our most ambitious efforts have most clearly manifested the utter lack of feeling and of knowledge of art in the community which could look with satisfaction upon such constructions. We have done scarcely anything in this field to lay the future under obligation to us; and we have, as a nation, painfully displayed our disregard of the ennobling influences of fine architecture upon national character, of its importance as an element of popular education, of its effect upon the development of the imagination, of its humanizing associations, and of its historic worth. Art has hardly yet found a home in our cities, and is but just beginning to dignify them with her elevating and purifying presence.

The erection of the new building of the National Academy of Design is an event of national concern. Not that it is an absolutely satis-

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dungeon, whose affected friendship might entrap him into an unwary admission. . . . . No resources of fraud or guile were to be spared in overcoming the caution and resolution of the poor wretch." One might suppose that the author was describing the proceedings permitted in the Massachusetts State Prison at Charlestown, in 1866, in the case of the criminal known as Scratch-Gravel.

factory and complete work of art, not that its design and character place it on a level with the highest architectural achievements even of modern men, but that it is admirable compared with almost everything that has preceded it in our country, and gives promise of the existence of a spirit among us, from the influence of which the best results may be anticipated. It is the first attempt in our country, so far as we are aware, to revive a system of constructive building and natural decoration which has been for a long time neglected in Europe as well as in America, but has of late become matter of serious thought and endeavor among those who recognize architecture as having a vital relation to the needs and habits of each successive generation of men. The only architecture which deserves the name of a fine art is based upon laws of constructive beauty and harmony, derived from the study of nature, and adapted to the changing natural wants of man. Purely imitative architecture is essentially bad. Each new work should be a work of original thought. "The only hope," says Mr. Wight in the Introduction to this volume, "for the arts of the future is in the conscientious fidelity with which all, who make any branch of art a calling, shall measure their work by the standard of truth." But what is this standard of truth? Does it exist simply in the virtue of the artist, requiring of him the performance of his best work with only the best means? Or is it to be found in the work itself, as suggestive of an ideal perfection; and is the best of truth the degree in which any special work approaches this abstract perfection as developed in the artist's soul?

"I believe," Mr. Wight continues, and we heartily adopt his belief, "that there is great hope for art in the future, and that the day when modern architecture shall attain its greatest glory from the association of all other arts with it will surely come, even though not in this generation. . . . . The art of the future will grow out of the wants of the future. I believe it will be one of the results of unseen regenerative influences which have been felt throughout the world to a greater or less extent during this generation, and of which modern wars, and especially our civil war, have been no small part."

In the carvings required in the new Academy, Mr. Wight attempted to revive the system of decoration derived directly from nature. The results have been in the main satisfactory. The building is far better than it could have been had its decorations been copied from existing conventional models. No one can study the building itself, or these photographs taken from it, without being convinced of the freshness of interest given to it by these evidences of original thought and fancy. Mr. Wight deserves great credit for having carried out his design in this

respect, in the face of many obstacles; and his remarks on the subject are so full of sense and of instruction, that we quote them at length.

"It is presuming too much to suppose that any one could so control and instruct a body of workmen, brought up to do entirely different work, and possessing manual dexterity only, that, after having placed before them leaves and flowers, and set them thinking, for the first time in their lives, how to make them into architectural ornament, they should produce anything like those results which can only be attained to after time and experience. And such is the fact. Not one of the carvers employed on the Academy had ever, to my knowledge, heard of the revival of mediæval sculpture in Europe, and but few of them had ever, when in the old country, (for, with one exception, they were foreigners,) looked at good mediæval work with any interest whatever. Some of them had worked on monuments and mantel-pieces under Italian influence, and the majority had been working all their lives at such scraps of carving on our buildings as any one can see if he takes the trouble to look across the street from his window. Who ever heard admiration expressed for any piece of architectural carving in our city? Such work has always been looked on as the component part of a *whole effect* only, and not as a thing to be made interesting in itself. And yet with but slight trouble on the part of the architects, and appreciation on the part of capitalists, without additional cost, every piece of meaningless carving in New York could have been made an object of interest to every beholder, without the necessity of ever repeating the same design. This would come from giving the workmen an opportunity to THINK. I know that workmen *will think*, unless they are hindered from doing it; for the work we have been describing has been carried on in spite of every discouragement, there having been three *strikes* for advanced wages and one *draft* for the army during the progress of the work. Any one who has had to deal with mechanics will know how these causes affect their stability and morality.

"Deane and Woodward, architects of the new Museum at Oxford, said that the carved capitals on that building, designed by the workmen from nature, cost less than ordinary carving; and I can add my testimony to theirs, that the capitals of the Academy of Design cost no more than Corinthian capitals of the same size and delicacy of finish, when done by contract. Yet all has been done by *day's work*. And this has been the result with men to whom the work has been totally new, who had not even seen such work as they were asked to do.

"The essential point wherein all the work falls short of the best standards is its too evident naturalism. Many, doubtless, who have admired this work, will be surprised to hear this; but naturalism is not, as I conceive it, the end to be sought, but only the means to that end. Between the two faults of want of truth to nature and accurate copying, I prefer the latter. Severe conventionalizing is better than either, and therein is the vital force and beauty of the best mediæval work. Good conventional work is always full of truth to nature, but can only be done by workmen of long experience and thorough knowledge. Men cannot be taught how to do it; it must be the natural result of native power, and the power to produce it will assert itself, but is not

to be coaxed. The attempt to get the right kind of conventional work from men with but little knowledge of nature must result in failure. But naturalism is possible; and he who has technical knowledge of his trade can produce fair carvings of natural forms set before him. Therefore, considering the material at my command, all that has been sought in these carvings has been as careful a reproduction of nature as is consistent with the material used.

"But I believe that, unless men are kept at good work continually, there is no hope of getting first-rate results. What is learned on one building will be unlearned or forgotten on another. To my knowledge, nearly every man that worked on the Academy has been employed ever since in cutting Corinthian capitals and egg-mouldings for a house on Fifth Avenue in this city, with the exception of four, who were for a time doing some work, under my direction, for the Art Building at New Haven. So what we may anticipate for the future, time alone will determine; and it is a question whether we will ever have the best decorative carving on our buildings, unless some set of men can be kept at work long enough to educate themselves up to the proper standard."

The National Academy of Design has discharged one of its highest functions in the erection of an edifice which will do so much for the promotion of art in America, and it is to be congratulated on possessing so beautiful a building for its annual exhibitions and its permanent collections.

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8. — *The American Republic: its Constitution, Tendencies, and Destiny.* By O. A. Brownson, LL. D. New York: P. O'Shea. 1866. 8vo. pp. xvi. and 439.

"Among nations," Dr. Brownson says, "no one has more need of full knowledge of itself than the United States, and no one has hitherto had less"; and in great measure, certainly, this is true. We are apt to deceive ourselves, in reflecting on the great reforms which we have introduced, and take more than due credit to our foresight, forgetting how much is owed rather to our circumstances than to ourselves. Liberality, democracy, humanity, are in America a natural growth. There was a constitution of the United States antecedent to that devised by the Convention of 1787, — a constitution without date, whose laws the framers of the written one followed, consciously or unconsciously. It is in accordance with the provisions of that *Magna Charta* that we are such firm believers in those safeguards of the inalienable rights of man which we are inclined to think the results of our prudence and calculation. Although feelings have generally carried us right, it cannot be doubted that this want of criticism and self-examination is an evil in the case of government, as it is in any other science. Emotions,

as a rule of action, are uncertain guides, and the unenlightened conscience no safer master for a people than an individual. On this account, all such books as Dr. Brownson's are valuable, if written in a fair and judicial spirit. They foster inquiry, they encourage study, they increase knowledge; however little they may teach us what is new, they call to mind what is old, and tend to the establishment of just *criteria* of thought and action. Whatever different opinions may be held on such important matters as the suffrage, the rights of property, the relations of labor and capital, this at any rate may be agreed, that individual notions of morality do not suffice to settle them, since these notions lead to utterly antagonistic results, encouraging one man to enslave, another to liberate, — one to demand, another to deny the ballot. The result must be despotism, or rather an anarchy where every man is autocrat.

Had Dr. Brownson's book, then, no other merit than that of stimulating discussion, it could hardly fail of doing good. But it has other merits. Considerable power of analysis, joined to a style usually sustained and adapted to the subject, give his thoughts value, which is increased by his knowledge of history and general acquaintance with philosophical speculation. Had it been possible for the author to separate in his own mind the natural from the supernatural, the results of his investigations would have been still more useful. The union of the two which he has effected was, however, in his own case, natural, and this union has made it impossible to examine his political conclusions critically, without recalling his religious persuasion. Dr. Brownson is a Catholic, and a sincere believer in Catholicism; he is also a liberal in politics, and a sincere liberal. To harmonize these two faiths was unconsciously his object, and the success is apparently so great that one almost begins to doubt their inherent incompatibility. The dogmas of the Roman Church have suffered changes in crossing the Atlantic that are not merely formal or external, but essential, substantive alterations. The true test of Catholicism is the Encyclical of 1864. Dr. Brownson, with his fellow-Catholics in this country, no more follow the Encyclical than they do Voltaire; the Pope, and perhaps Antonelli, are tolerably consistent dogmatists, but even a Pius IX. in America would cease to be so. The substance of Catholicism is a belief in the supremacy of authority over reason, and the natural issue despotism or anarchy. When, therefore, Dr. Brownson, from the premise of a Catholic creed, reaches the conclusion of republican government, it is evident that he has not followed the paths leading from his point of departure. By ending here, he has proved himself to be neither Catholic nor thorough rationalist. Like most men, unable to arrange the difficulties

between the conflicting forces in any other way, he has made them joint tenants of the realm of knowledge, restrained from clashing by a *posse comitatus* of will. It is by this means that he has obliged two entirely opposite forces to coalesce, apparently united, in one system. For this reason, the system, as a system, is illogical; and for this reason, however much we may agree with his conclusions, we cannot reconcile ourselves to their method, or admit a rational relation between the hypothesis and the demonstration. There is to the thorough student no axiom, no means, no end but truth; no preconception entices him from it, no casual expediency makes it appear any less dear to him. The desire for it is admirable in Dr. Brownson; what is to be regretted is the failure in obtaining it.

The fundamental question, the answer to which must form the basis of the science of government, is that of the origin of the right to govern; till this is answered, no such science can exist. Dr. Brownson has, therefore, devoted to its discussion a large part of his book, and shows, by very conclusive reasoning, that most writers have given answers unsatisfactory in essential particulars. His examination of this subject, in which every one, whether despot or democrat, has a stake, is interesting and valuable. Without going through all the eight theories into which Dr. Brownson divides governmental philosophy, an account of his discussion of three of them will show his strength, and at the same time his weakness. Rousseau's notion of a "social compact" founded itself upon an antecedent state of nature, of absolute liberty and irresponsible action; from this condition, impelled by its evils, mankind elevated themselves by the surrender to their creature, Society, of the rights better held by her than by individuals. Government is thus a contract; the parties contracting are the governed. Nevertheless, of this antecedent state of nature there is no proof; nay, all the known facts of early history go to its disproof. And even admitting the state of nature, there was no source from which men could derive the idea of government, since the supposition finds them unacquainted with it, and social changes in a state of nature are as impossible as the invention of speech in a state of silence. And even admitting both these inadmissible steps, the desired conclusion does not follow, since "individuals cannot give what they have not, and no individual has in himself the right to govern another"; nor has he even a sovereign right to himself, being dependent, not only on God, but on Society. Society may not meddle with those rights which he holds directly from God, as those of religion and property, nor can he give them to Society. In those matters in which he depends on Society, he must always be subject to her sovereignty, and this sovereignty exists even before the

formal constitution of government. The compact, then, cannot be formed, since the rights assumed to be given to Society are hers already, and those which she has not already cannot be made over to her, for by them is constituted the individual freedom which she is bound to protect, and from which she cannot detract. And, finally, when the compact has gone into operation, whom will it bind? Its basis is consent, and certainly those would not be bound who opposed it, nor even those who remained silent; the theory of social compact does not prove the great *desideratum*, the right of ancestors to bind the wills of their descendants. As to another theory, that of the collective sovereignty of the people, its grave error consists in undermining natural liberty, and arrogating to the state rights which man holds from God; it is the opposite of the theory of compact, one centring original rights in the individual, the other in the collective unit, thus erecting society into a despotism, and making the voice of the people the voice of God.

Dr. Brownson's own solution of the difficulty is this: while the Church derives its power immediately from God, the rights of government are drawn from God mediately, through the people, by means of the natural law. To know who the people are that have the authority to give to government this mediate right, is to know who are nations *de jure*. But the only means we have of arriving at this is by discovering what are and what are not nations historically. A *de facto* nation must be a *de jure* nation; and hence in every nation actually existing there is national sovereignty limited by that knowledge of the natural law "transmitted from Adam to us through two channels, — reason, which is in every man and in immediate relation with the Creator, and the traditions of the primitive instruction embodied in language and what the Romans call *jus gentium*, or law common to all civilized nations. Under this law, whose prescriptions are promulgated through reason and embodied in universal jurisprudence, nations are providentially constituted and invested with political sovereignty; and as they are constituted under this law, and hold from God through it, it defines their respective rights and powers, their limitation and their extent."

It is plain how theological and teleological this view of government is, and how incomplete. It in fact consists in little more than its own statement. The evidence of the flow of the natural law through the two channels of reason and *jus gentium* is not presented, nor that of the mediate government of God through the people; yet this evidence is precisely what is necessary to give the theory body. Existing facts should at any rate be shown to be in accordance with the supposed basis of them, and it is difficult in this case to find a proof of such ac-

cordance. If primitive instruction was the origin of the *jus gentium*, for example, we should expect to find the stream growing purer and purer towards its source; or if not so, then to find the waters, at any rate, no muddier. But a little way back the flow itself almost ceases, and instead of purity we find what approaches stagnation. If the *jus gentium* is of human origin and development, this fact is accounted for. Those who wish to believe in primitive instruction must forget the fact. But Dr. Brownson accounts to the greatest possible extent for this eccentricity of reasoning by the statement that the book is rather for Catholics than Protestants. Catholics in America are of necessity more illogical than in other countries.

But whatever Dr. Brownson's artificial system, his natural one is such that he arrives at exactly those conclusions which entirely different processes usually engender. The logic of events and history is too strong for his forced arrangements, and the demonstration is of that kind which, if itself be proved, disproves the hypothesis.

Proceeding from the origin to the constitution of government, this is of two sorts, — one the constitution by law, as, for example, that drawn up by the Convention of 1787, the other the Constitution by historical fact. The latter is in origin providential, the former conventional. To understand the one, we must know the other. In the case of the United States, it is eminently necessary to settle the point whether the States are the providential depositaries of national power in their separate or their collective existence. The dogma of original State sovereignty, so long and so stoutly maintained, the assertion that the Union was a nation created by ununited States, Dr. Brownson vigorously opposes. In his opinion the United States have always been the United States, providentially united never to be disunited. They have always been one nation, never have been made up of nations. Sovereignty is neither in the States separate nor in the Union as outside the States; it is in both, in the States united. Had the thirteen States been sovereign, they could not have formed a sovereign government; they could have made nothing better than a league, from which the members might have withdrawn at pleasure; for it would have been impossible to surrender their sovereignty to something which as yet had no existence. The national entity may be surrendered to another national entity; but it cannot, for the purpose of forming a new national entity, be given up to a national nonentity. All the objections which apply to the compact theory are fatal to this one. For these reasons Secession was impossible, and the acts of Secession were as null as such acts in an English county would be. The right to secede could not be drawn from the Constitution of

1787, for that was drawn from an earlier constitution, which gave no such rights. By that more ancient law there is a division of powers between the general and the particular governments. Every State has authority within its own borders, but not extra-territorial. The United States authority extends among all the States and binds them together; this tie can never be broken. But there are privileges which States enjoy under the United States, and only as under it. These privileges, like all favors, may be relinquished by States, and, if relinquished, would leave the States bound by the tie of obligation, but shorn of the advantages which they have abandoned. Secession, therefore, reduces a State to the condition of a Territory, united quite as much as before to those she had attempted to leave, but without the privileges she had voluntarily renounced. "A Territory by coming into the Union becomes a State; a State by going out of the Union becomes a Territory."

Dr. Brownson finds three parties in the United States: the Southern democracy, which he calls personal, since its object is an unjust personal liberty basing itself on might; the democracy represented by the Abolitionists, which he calls humanitarian, basing itself upon the rights of man as man and upon the higher law; and the territorial democracy, which represents, for the most part unconsciously, the theory of government supported by the author. The two former are the opposing and yet parallel extremes. Each would run out to infinite barbarism were there not the check of the middle party. "Wendell Phillips is as far removed from true Christian civilization as was John C. Calhoun, and William Lloyd Garrison is as much of a barbarian and despot in principle and tendency as Jefferson Davis." We select this sentence partly as showing the author's views, and partly as showing his tendency to inaccuracy of thought. There are a few misstatements in the book. To say that the Darwinian theory is not sustained by science, because the acorn develops the oak, never the pine or linden (p. 90), is to say a thing absurdly irrelevant; and a statement that the British government cannot be carried on by fair, honest, and honorable means, is not to be proved by saying that corruption of every sort is implied in the necessary attempt of the British statesman to manage diverse and antagonistic parties so as to gain the ability to act (p. 253). It is in cases where an approaching conflict of theory and truth may be discerned, that Dr. Brownson, *vi et armis*, gags the one he loves least. But Dr. Brownson has even with his ardor for theory a sincere and earnest love of truth; and there are so few men who feel that pure affection, that the addition of one to the number is an encouragement to his fellow-seekers, even if he only show them paths they should not follow.

9. — *The History of Henry the Fifth, King of England, Lord of Ireland, and Heir of France.* By GEORGE MAKEPEACE TOWLE, author of "Glimpses of History." New York: D. Appleton & Co. 1866. 8vo. pp. viii., 473.

THE reign of "the Fifth Henry of Lancaster" forms one of the most brilliant portions of English history, according to that popular judgment which assigns the highest places to the destroyers of the human race; but Mr. Towle assumes more than usual biographical privileges when he asserts that "in that reign the military glory of England reached its zenith," that "the military taste and habit had arrived at their full ripeness," and that "the conquest of France was completed." Henry V. did not carry England's glory any higher than it had been carried by Edward III.; and the Black Prince's victory at Poitiers was as striking an event as the victory of Agincourt. The conquest of France was not completed in Henry V.'s reign. It might have been completed had Henry lived a few years after 1422; but when, in that year, he died, not even France north of the Loire had been all subdued to English sway, while beyond that great divisional line loyalty to the house of Valois was the rule. All that Henry had accomplished, seven years after Agincourt, and against a nation torn by the wildest contests of faction, amounted to no more than the establishment of a base of operations; and so imperfectly was his work done, that his successors were unable to perfect it, though his brother, the Duke of Bedford, was not his inferior either as a statesman or a soldier. To speak of Henry V. as the conqueror of France is as incorrect as it would be to speak of Philip II. as her conqueror because of the success of the Spanish arms at St. Quentin. Nor is the error a trivial one, for it conveys an erroneous idea of the state of affairs at Henry's death, and is as unjust to those who sought to accomplish his task as it is to the French nation. Had France been conquered at the close of Henry's reign, nothing would have remained to do but to transfer the seat of empire to Paris, and England would have entered upon that provincial life to which Henry's success certainly would have doomed her. It is not the least extraordinary of the many strange things in history, that the most popular of the old kings of England, and the hero of fiction as well as of fact, should owe his popularity through more than twelve generations of Englishmen to his partial success in a policy that could not have been made to triumph without having degraded England to the position of Languedoc or Provence. Mr. Towle does not note this vicious characteristic of Henry's grand project, but other historians have noted it; and the best of English

historical writers express thankfulness that their countrymen of the first half of the fifteenth century were so completely defeated in and beaten out of France that no serious attempt has since been made by England to conquer that country. They are right, and their judgment may be classed with that of other Englishmen who rejoice that England failed in the war of the American Revolution.

Henry V.'s ultimate purpose was to make himself master of France, and that he should have formed that purpose proves him to have been a man of lawless ambition. He could not plead even the claim that had been set up by his great-grandfather, Edward III., to the French crown. Had that claim been worth anything, the person upon whom it devolved was the Earl of March, who was, according to what in late days has been known as the principle of legitimacy, lawful king of England, but who was kept out of his inheritance by Henry V. When Henry resolved to claim the French crown, he must have known that he had in contemplation a proceeding that was indefensible alike on moral and legal grounds. He was a robber on the largest possible scale, and it is only because of the magnitude of his crime that his action is looked upon as if it were honorable. Mr. Towle, in true biographical spirit, invests him with "a mission." Henry, he declares, "did not believe in his right to the French crown; but he did believe that, by possessing it, he would [should] enhance the prosperity and glory of the French people." Is not this attributing to a monarch of the fifteenth century an idea that belongs to the nineteenth? Is it not anticipating Napoleon III. more than four hundred years? If Henry was able to reason so clearly on the condition of France as Mr. Towle assumes, he must have known that in great part the misery of that country was the consequence of the attempt which Edward III. made to obtain the French crown in the preceding century; and he could not have failed to see that a renewal of the war must increase her difficulties. Assuredly he could not expect submission to his demands, and that so great a nation as France would accept the offer of a foreign king to restore its affairs on condition that it should depose a dynasty which was old before the name of Plantagenet had been heard of in connection with royalty. The simple truth is, that Henry's war with France was partly a war of policy and partly a war of ambition. It originated in policy, and it was pursued from ambitious motives after its first purpose was served. The historical facts show this to be the true view of the matter.

The rise of the house of Lancaster to royal power is one of the most singular incidents of the Middle Ages, resembling in some respects the rise of the house of Orléans in the present century. John

of Gaunt, Duke of Lancaster, cultivated a political power of his own, and, though but the fourth son of Edward III., was one of the principal members of the royal family, — beyond comparison its most influential member after the death of the Black Prince. At what he distinctly aimed it would be difficult to say; perhaps he could not himself have clearly stated his purpose; but the support he at one time gave to Wickliffe identified him with the Reformers of that time, and seemed to establish a connection between them and the house of Lancaster. His son, Henry of Bolingbroke, favored by the folly of Richard II., usurped the crown, and there can be no doubt that his father's course made the way to sovereign power easy for that clever cadet. But Henry IV., instead of adhering to the liberal, reforming ideas to which his father appeared to be partial, chose to ally himself with that reactionary party which followed upon the great movement of the fourteenth century. The statute for the burning of heretics was passed in the early part of his reign. His object was to secure the support of the clergy, and in that way to strengthen a very defective title. The Lollards, much to their surprise, found in him a bitter enemy. Henry V. exaggerated the persecuting policy of his father; but it is hard to decide whether he was the tool of the Church, or made the Church his tool. The clergy, if they did not urge him to claim the French throne, at least zealously supported his intention to claim it. They wished to withdraw popular attention from the plan to spoil the Church; he wished to confirm his power by adding to the military glory of his country, and probably he did not expect to conquer France, a result of war which no English statesman could have counted upon who knew the history of Edward III. and that of the Black Prince. By drawing all the restless spirits of his kingdom into his armies, he would be able to prevent the formation of conspiracies, and the occurrence of civil contests, such as had disturbed the short reign of his father. Add to these considerations the fact that the house of Lancaster had been bitterly assailed and taunted by the house of Valois, — insults which Henry IV. was unable properly to resent, — and we have an intelligible view of Henry V.'s motives in attacking France. The war was political and dynastic in its character and origin. After Henry had been engaged in it for some time, and had arrived at a more extended knowledge of the condition of France, no doubt his purpose expanded, and it became a war of ambition, a contest for the conquest of all the dominions of Charles VI. His own conduct had greatly increased the troubles of the French, and doubtless there were many persons who were for peace at any price. The date of the Treaty of Arras, more than four years after Agincourt,

may be assumed to fix the time when Henry had formed a large and definite plan, which contemplated the transference of the seat of Plantagenet royalty to the banks of the Seine. That he may have formed also some Utopian plan for the welfare of the French people is possible, — and it is not the less possible, that he was about, as he thought, to become their sovereign, and would have an interest in their prosperity; but that he was governed from the first, or at all, by those luminous ideas that are attributed to him by his American historian, does not rest upon evidence. Mr. Towle's Fifth Henry is wellnigh as imaginary a character as the Prince Hal of Shakespeare; but what is pardonable in the poet, and even praiseworthy, considered as a mere work of art, is highly reprehensible in the historian, to whom we ought to be able to look for portraits from the life.

As a soldier, Henry V. was only a conqueror of the vulgar class; and as a sovereign he was a vulgar persecutor, who associated the house of Lancaster with fire and fagot, thus arraying modern historical feeling against the cause of the Red Rose. The two things which are indelibly associated with his name and memory, the French war and the suppression of Lollardy, prepared the way for the fall of his line, and for the extinction of the great house of Plantagenet. He assailed France, originally, to strengthen his dynasty; and when the English were driven from France, the aristocracy were divided into two parties, which butchered each other for possessions that were unequal to the pretensions and the support of both. The nobility had learnt to live on their French spoil in a manner that unfitted them for insular existence; and the weak character of Henry VI. caused their quarrel to affect the succession; so that, for a period of more than two hundred years — from the deposition of Richard II. to the accession of James I. — the succession question was the source of perpetual trouble to the English people and of perpetual terror to English statesmen. This could not have been the case had Henry V. governed England as a wise and liberal sovereign would have governed that country. The deposition of Richard II. would have proved as harmless a proceeding as the deposition of James II., had not "the aspiring blood of Lancaster" led Henry V. to adopt a policy that was productive of ruin to his race. His persecutions of the Lollards, if not so plainly injurious to his house as his French war, undoubtedly had something to do in swelling that torrent of popular disaffection, the guidance of which enabled the leaders of the White Rose party to transfer the crown to the house of York. Of these things Mr. Towle makes no mention. In his view, Henry V.'s history forms a perfect whole. What followed from his action gives him no concern. Thus he neglects one of the highest duties of the historian,

which is to show what was the effect of the adoption and pursuit of a given policy. If Henry's work had ended with him, Mr. Towle's volume would have been a very creditable book; but as the evil he did, like most evil, was long-lived, and in some respects affects the world at the present time, that volume is very defective, and falls far short of the true historical standard. It is not enough for the reader that the author shows, or enables him to understand, that Henry V. was a combination of benevolence and bullying, of religion and rapine, — that he was a Catholic Puritan and a successful soldier; something more is demanded, and that something is here wanting, — because the author knew that the moment he should begin to sum up the effect of his hero's deeds, he would necessarily enter upon a sentence of condemnation, if regard should be had for truth. Looking at the consequences of Henry's conduct, he must be pronounced one of the greatest failures in history.

Mr. Towle's book has considerable merit. It shows familiarity with its subject, a scrupulous consultation of all authorities accessible to an American writing at home, and liberality of sentiment. Its failings are hero-worship — which blinds the author to his hero's faults, and disposes him to see only the better points of his character — and a style that is ever aiming at eloquence, and which often sinks into tumidity. There are passages in his book that show he can write naturally; and if he will imitate them in that Life of Margaret of Anjou on which report says he is engaged, and always restrain his tendency to rhetorical excess, he will take respectable rank among living historical writers. His faults are such as are easily corrected, if he is a man of sense, and not above profiting from lessons which able men in all times have condescended to receive even from those whom they could fairly regard as inferiors. It is because we wish him to succeed that we have dwelt chiefly on his defects, in the hope that we shall not see them repeated.

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10. — *The United States during the War.*—By Auguste Laugel. New York: Baillière Brothers. 1866. 8vo. pp. xv., 313.

The art of travelling so as to understand a foreign country and its inhabitants has never been much practised. There have always been good observers, men quick to see, but few among them have really understood what they saw. To the Greeks and the Romans travelling was but the means of confirming their sense of superiority to the rest of the world. The average Englishman, with less reason, finds in travelling the same support of his insular pride. Each nation is a nation

of barbarians to the ignorant of another race. The brotherhood of the world is preceded by a long period of repulsion of foreign brother to brother. A foreign language seems an insult to the intelligence of the uncultivated, — a violation of nature, morally offensive. The habit of regarding a foreign people otherwise than as inferiors to our own is an indication of high and humane civilization; and the growth of this habit, slow though it be, is one of the sure signs of the gradual progress of the world.

To be a good traveller, especially to be a good writer of travels, a man must not only observe well, but must have a just standard of comparison in his own mind. He should not only be intelligent, but he should possess a penetrative imagination and lively sympathies. He must bear in mind the difference between habit and custom and the moral law. To describe such a traveller at length would be to describe an ideal character, to which few travellers or writers of travels have approached, as we in America long ago discovered. What incomprehensible savages we have appeared in travellers' books! Suppose the continent to sink, and no record of us to remain but that contained in the books of English travellers, what an amusing and horrible reputation we should enjoy among posterity! What an extraordinary picture any attempted historic reconstruction of us would present!

There have, indeed, been a few travellers of the better sort, — men such as Sir Charles Lyell, with cultivated intelligence, liberal judgment, and clear appreciation, or men like De Tocqueville, not so much travellers in the proper sense as philosophical students of political and social aspects and institutions. To this small class M. Laugel belongs, holding a sort of middle place in it between the traveller who simply records the journal of his own experiences and the reflections suggested by them, and the political philosopher who travels for the sake of investigating the nature and results of the principles of national life. His book combines the interest of personal narrative with that of a political essay, and it shows that its author possesses, in a rare degree, qualities which give him special claim to attention and respect.

It is not often that a man so eminently fitted to travel and to narrate his travels comes from Europe. Of French birth, long a resident in England, and connected by marriage with America, M. Laugel has had a cosmopolitan experience. With a natural tendency to serious studies and reflections, with powers disciplined by the successful pursuit of exact science, familiar with the most cultivated society of Europe, he was not merely thus intellectually prepared, but his moral education had been such as to qualify him still more completely for travelling in America. Practically exiled from France on account of his liberal

opinions and opposition to the imperial *régime*, he was naturally attracted to the study of the free institutions of this country. His sympathies quickened his intelligence, and his moral sense gave earnestness to his intellectual convictions.

The very striking Introduction to this volume gives evidence of the union in his intellectual composition of that power of rapid generalization characteristic of the French mind with an English solidity of judgment. The analysis of the American character contained in these few pages is a remarkable piece of work. It is alike acute and comprehensive, and, though drawn with broad and vigorous strokes, presents a likeness quite as exact as if the detail were more elaborately rendered. It is a study of ourselves from which we ourselves may receive much instruction. We should regret that our space does not allow us to quote these pages, were it not that we trust our readers will turn to them in the volume itself.

The first chapter of the book is occupied with a lucid and interesting statement of the cause of the war, which is followed in succeeding chapters with an account, exceedingly well given, of the military and political events during the war, and of the Presidential campaign and election of 1864. M. Laugel's remarks on all these topics are often distinguished for their justness and penetration. In reading his condensed narrative, we feel how much we have lived through, and how great results are yet to proceed from the events which have made the America of 1866 so different from the America of 1860.

Succeeding chapters of the volume are occupied with an interesting and instructive account of the author's extended tour through the country. Nowhere is the greatness and abundance of the West better set forth than in these pages; and M. Laugel's reflections concerning the political character and future relations of the different parts of the country exhibit unusual insight and breadth of view.

One of the most interesting chapters is that on Abraham Lincoln, of whom M. Laugel gives one of the best descriptive portraits yet drawn. The appreciation of Mr. Lincoln's character displayed in this chapter betrays the sympathetic nature, the pure feeling, and the penetrative imagination of the author. It is a piece of such tender and exquisite analysis as very few men, not bound to Mr. Lincoln by the tie of a common native land, are capable of making. It is a description that will be valued by Americans in time to come, as the contemporary testimony of a foreigner competent to judge concerning him whose memory will be forever dear and honored among us as no other can be.

M. Laugel has done a service to us for which the nation owes him its grateful acknowledgments, in giving to European readers in two lan-

guages an account of this country so truthful, so genial, and so well calculated to remove the erroneous conceptions of ignorance and prejudice which prevail even among otherwise well-informed Europeans.

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11. — *Second Annual Report of the Board of State* [*Massachusetts*] *Charities; to which are added the Reports of the Secretary, and the General Agent of the Board.* January, 1866. Boston: Wright and Potter, State Printers. 8vo. pp. cxviii., 427.

This volume is a legislative document of far more than common interest and value. The Report of the Board, which occupies one hundred and seventeen pages, is not of merely local importance. It discusses the principles of public charity, the natural laws of crime, the social conditions of the criminal classes, the causes of insanity, and the methods of treatment of criminals and of the insane. The treatment of these questions in the Report is distinguished, not merely by a thorough acquaintance with the various topics, but by a spirit of the highest intelligence and wisest humanity. The clear and vigorous intellect, the wide experience, and the special fitness of its author are no less conspicuous than his large and sympathetic heart. In preparing this Report, Dr. Howe has rendered a new service to the community. It is a fortunate thing for a State when she can call upon such a citizen to serve her.

The Report of the Secretary of the Board, Mr. Sanborn, shows his eminent fitness for the position which he occupies, and his entire fidelity to his charge. It is worthy to be associated with the Report of the Board, and, although chiefly occupied with matters of comparatively local interest, it contains much of general application, and affords very valuable material to the student of the philosophy of crime and poverty, and of the institutions intended to repress the one and relieve the other. The Report of the General Agent is mainly one of detail of local business. It is a sensible and business-like document.

Massachusetts has done no wiser thing of late years than the creation of this Board. Her charitable and penal establishments form one of the most important departments of her institutions, for within them she feeds, clothes, lodges, and controls more than "four thousand persons, towards whom she constantly stands in the relation of parent and guardian." To submit these various establishments to the supervision of a body of intelligent and humane men, who should recommend such changes as they might deem necessary or desirable for their efficient and economical administration, was the intention with which the

Board was created, and this intention has been fully carried out by the members of the Board.

The mere investigation of the actual condition of the prisons, jails, workhouses, almshouses, hospitals, asylums, and other similar establishments, constitutes but a portion of the duties of the Board properly understood. It is requisite for the effective administration of these institutions, that the causes of the existence of such a large proportion of dependent and destructive or dangerous members of society as exist in the community should be thoroughly examined into and considered, in order that the proper means may be adopted for their removal, or at least for the diminution of their effects. It is only after this preliminary study that the establishments can be regulated upon those principles upon which their essential utility depends, and by conformity with which their highest practical efficiency can be secured. It is with this view that the present Report of the Board has been prepared, and it forms one of the most instructive essays upon the general causes of the existence of dependent and criminal classes and the general principles of public charity which has ever been printed.

We regret that our space does not permit us to treat at length of some of the topics embraced in it, or even to set forth in detail the views of its eminent author. But we regret this the less, because the Report itself should be thoroughly studied by all those who desire to promote the progress of our civilization, and to assist in the removal of the evils by which that progress is impeded. We trust that it may be widely distributed. The State would do well to secure its general circulation in every town, by placing a large number of copies for gratuitous distribution in the hands of the town authorities, and by having a copy of it put into every school library.

In the advance of humane opinion in regard to the dependent and vicious classes of society, two principles are daily becoming more evident. First, that the true way to meet the evil resulting from their existence in the community is to remove the causes, or to diminish the efficiency of the causes, of pauperism, insanity, and crime; that the chief effort of society should be thus to lessen the need of relief, reformation, and repression; that the work of society in respect to these classes does not begin or end with almshouses, courts, prisons, and reformatories, but that these are the evidences of its failure to accomplish its more important duties; and that every such establishment indicates the defect of our general social organization, and the want of intelligent humanity in the community. And secondly, in the words of the Report, that "there should be the least possible intervening agency between the people and the dependent classes." "Government should

seek to call forth and increase the charitable feelings of the people, but should not assume their duties of action without strong necessity."

The recent establishment of the American Association for the Promotion of Social Science, at the suggestion of the Board whose Report is before us, and the interest of its first meeting, indicate the existence of a general concern in our community regarding the questions relating to the improvement of society. By the efforts of this and kindred associations, we may once more hope to set our country at the head in the work of social reform and progress. With our special advantages we have special duties. It is not satisfactory to learn, as we do from this Report, that "our charitable and correctional institutions are not superior to those of some other countries, and in several respects they are far inferior."

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12. — *The History of the first Discovery and Settlement of Virginia.* By William Stith, A. M. New York: Reprinted for Joseph Sabin. 1865. 8vo.

The accurate and faithful narrative of the worthy President of the College of William and Mary, first printed in Williamsburg in 1747, has long been esteemed a standard authority in the early history of Virginia. Although his style is inelegant and diffuse, and his minuteness of detail is sometimes unnecessarily extended, his scrupulous adherence to the facts as related by the authors whom he cites, and his unquestioned probity, have established the truthful character of his work.

Stith was indebted to the narratives of Captain John Smith and other early residents in the Colony for the incidents connected with its settlement; and while giving full credit to the author of the "Generall Historie," — "for I take him," says Stith, "to have been a very honest man and a lover of truth," — he does not fail to recognize the prejudices which seem to have influenced and distorted his account of the affairs of the Colony.

A copy of the Records of the Virginia Company for a period of five years (1619–1624) was made by direction of the Earl of Southampton, and purchased after his death by Colonel Byrd, which was used by the author in the preparation of his History. This copy is said to have come into the possession of Congress with the papers of Jefferson, and is supposed to be now in the law library at Washington. Among other documents which came to the hands of Stith were also many state papers, collected originally by Sir John Randolph.

From these and other authentic materials the author has constructed his history of the Colony, from the discovery of the continent to the dis-

solution of the Virginia Company in 1624, by James I. of England. Stith's estimate of this weak but selfish king is, to say the least, plainly expressed. "I have ever had," he writes, "from my first acquaintance with history, a most contemptible opinion of this monarch, which has, perhaps, been much heightened and increased by my long studying and conning over the materials of this History. For he appears, in his dealings with the Company, to have acted with such mean arts and fraud, and such little tricking, as highly misbecome Majesty." Entertaining these views, we may be assured that the author will generally be inclined, in his own language, "to *un-Solomonize* that silly monarch."

The narrative of Stith, while it records the events which occurred in Virginia during the early years of the Colony, contains also the history of the opposition to the Company in England, which, with the internal dissensions of the Council, contributed, no less than the hardships experienced by the colonists, to the failure of the enterprise.

An important and valuable part of the work is found in the Appendix of original documents, embracing the three Virginia charters, the first of April 10, 1606, to Sir Thomas Gates, Sir George Somers, and others; the second, to the Treasurer and Company for Virginia, or the London Company, bearing date May 23, 1609; and the third, to the same corporators, dated March 12, 1611–2; together with the charter from the Company, of July 24, 1621, establishing a Council of State and General Assembly in the Colony.

The present reprint appears to be, with the exception of a few literal errors of the press, a faithful copy of the original edition. A bibliographical notice by Mr. Sabin is prefixed, containing an account of the different forms of the impression of 1747, and of the variations in the London reprint of 1753. We have lately seen two copies bearing the imprint of William Parks, Williamsburg, 1747, but containing all the distinctive marks noted by Mr. Sabin as belonging to the London edition, including their regularity of pagination, the differences in the ornaments, signature-marks, and catch-words, and the variation in the paper on which signature X is printed, as compared with the rest of the volume. The omission of the line over the foot-note on page 308 also corresponds in these copies with the London impression, as does the Italic *J* on the first (not second) page of the Appendix. A third copy, wanting the title-page, but considered by a former proprietor as of the Williamsburg edition, corresponds in all these respects with these two. These facts would seem to indicate that some copies of the London edition were issued with the Williamsburg imprint, which will explain the differences noted by a correspondent in the "Historical Magazine" for June, 1858.

The execution of the work in this reprint is creditable both to the editor and printer, and we are confident that their labor will be appreciated alike by the bibliophile and the historical student.

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13. — *History of England from the Fall of Wolsey to the Death of Elizabeth.* By JAMES ANTHONY FROUDE, M. A., late Fellow of Exeter College, Oxford. Vols. I. – VI. New York: Charles Scribner & Co. 1866.

ENOUGH of Mr. Froude's History has now been published to warrant us in forming a judgment of his qualities as an historian. It is true that the story of Elizabeth and Mary Queen of Scots, in some respects more dramatic and full of personal interest than any within the compass of the book, is not yet reached by the historian; but a careful reader of the volumes already published will not find it hard to foretell what Mr. Froude's treatment of the case is likely to be, with Mary as the bewitching type of the reaction that was to be fatal to her race, and Elizabeth as the unloving but conscientious step-mother under whose cold eyes the national life of England was to grow toward the manhood of the Commonwealth.

The period embraced by Mr. Froude's plan, including as it does the history of the Protestant Revolution in England, of the Catholic reaction under Mary, and of the compromise of extreme opinions under Elizabeth, is one of the most interesting and instructive in English annals. The reader in imagination carries on the story, and sees the inevitable oscillations of the pendulum of opinion from one extreme to another, till it seems to come to a standstill in that other compromise under William, which left England in politics without any fixed principle of action based on morals, and in religion with a form instead of faith. But the part already completed, treating as it mainly does of the process of reconstruction after a civil war of opinion, is full of pithy lessons for whoever reads aright. It shows the necessity of a definite firmness of policy, with moderation in action and wise concession in all non-essentials. It shows also the futility of all attempts to combine principles by their very nature deadly opposites. It teaches, in short, as history always does, that simple method for the solution of political problems whose application men always learn too late by the comment of their own errors.

As an historian Mr. Froude shows clearly the influence of the intellectual and moral training through which he has passed. Left apparently by the result of the politico-religious revival at Oxford without any

very resolved convictions, he is a master of casuistry, and often weighs a question with such a show of conscientious nicety, that nothing but the dust left in one side of the balances decides the turning of the scale. His method of treatment leads us sometimes to ask ourselves whether there is such a thing as positive right and wrong, and whether morals (as the name signifies) are really anything more than what is for the time customary. It is true he avoids the common mistake of applying the standard of one age to another; but this principle pushed too far may give rise to something worse than anachronism, and there surely must be a measure of conduct discreetly applicable to all times, unless the life of man on earth be something less coherent than a miracle-play.

We do not, however, regard Mr. Froude's History as one of those attempts at whitewashing in which the historian is swamped in the advocate, and truth is of less consequence than ingenuity. On the contrary, we think he has done a great service to those who desire to see events and characters justly in their mutual correlation, by disenchanting Henry VIII. from the beast of popular legend into the true prince he really was, and showing him to us as a man, and not a monster. He has done the same service also for Bloody Mary, giving us some true conception of her as a woman, and making her action the coherent consequence of her temperament, both mental and physical, and the influences to which it was subjected. His experience of the semi-Romish ferment of Oxford thought peculiarly fits him to understand and describe the popular feeling on both sides when the old religion and the new were struggling for mastery.

As we have before suggested, the apparent fairness of Mr. Froude in judging moral questions appears to us to be the result of a certain religious apathy, rather than of judicial impartiality of temper; and since events can never be dissociated from their moral causes and consequences, his lenient equity toward individuals strikes us as sometimes like a wresting to his own purpose that ethical law which, superior to all considerations of persons and nationalities, dominates in the affairs of the world. That he writes above and before all as an Englishman we do not regard as a defect, except where it leads him to take the empirical English view of the Irish character, and to generalize too thoughtlessly as results of race what may in much larger measure be fairly deduced from circumstances. Mr. Froude's style, without any of that vividness which springs from conviction, without any imaginative picturesqueness or fanciful point, is easy and agreeable, and his narrative has the freshness of interest which a casuistic turn of thought is sure to give by putting things in new lights and compelling the reader to be always on his guard lest he accept a sophism for a truth.

14. — *International Policy. Essays on the Foreign Relations of England.* London: Chapman and Hall. 1866. 8vo. pp. xii., 603.

This is a volume of Essays by a number of English disciples of the "Positivist" school of philosophy. It contains "The West," by Richard Congreve, M. A., late Fellow and Tutor of Wadham College, Oxford; "England and France," by Frederic Harrison, M. A., Fellow and late Tutor of the same College; "England and the Sea," by E. S. Beesly, of the same College, and now Professor of History in University College, London; "England and India," by E. H. Pember, M. A., late student of Christ Church, Oxford; "England and China," by J. H. Bridges, M. B., late Fellow of Oriel; "England and Japan," by Charles A. Cookson, B. A., of Oriel; and "England and the Uncivilized Communities," by Henry Dix Hutton, of Lincoln's Inn, Barrister at Law, and also presumably an Oxford man.

Here, it will be seen, is a wide range of subjects, yet all subordinated to a single theme, — the idea that power implies moral duty, and that, as the power at present resides in the West, so also is the corresponding duty incumbent on the West also. What is meant by the West is defined in the preliminary Essay by Mr. Congreve, who seems to have edited the volume; while Mr. Harrison, in the second, undertakes to show that its natural leadership belongs to the united forces of England and France, whose interests, seen from a high enough point of view, are as naturally identical as the ideas they respectively represent (stability and progress) are disparate rather than hostile. We might easily call in question the quiet confidence with which a secondary place is assigned to America, and her incapacity for ideas assumed. Mr. Goldwin Smith, it seems to us, has seen deeper, to the fact that American ideas are incarnated in the life of the people, though not yet finding clear expression either in their politics or literature. But our object in this notice is far from controversial. We wish simply to call the attention of our readers to a volume in which questions of national interest and duty are ably argued on the lofty ground of that union of policy with morals which constitutes transcendental statesmanship. It is in more ways than one a remarkable book, and as a sign of the times, as an index of the movement of a certain class of English minds in a new and deinsularized direction, should command the attention of thinking men. It proves that there is good foundation for the English claim to freedom of thought and courage in the expression of it. It shows also the influence of French intellect, which has been forced by circumstances to that abstract and dispassionate treatment of great political and ethical questions which in free countries is harder to achieve in

proportion to the absorbing influence of immediate politics, however transitory in their bearing. The present has a depth of which few men ever dream, because of the agitation upon the surface. We heartily wish that we could hope soon to see the discussion of politics in America carried on in a style approaching that of this volume, and giving evidence of anything like the same intellectual training and breadth of view. The disgraceful "Fenian" outrage upon Canada was a topic that called for thorough discussion on the highest grounds of international statesmanship. An opportunity was offered us, of which Mr. Seward somewhat hesitatingly availed himself, to revenge ourselves on England for her Alabamas and Floridas in the only way worthy of a great nation, by setting an example of how neutrality should be understood and maintained; but too many of our legislators preferred the vulgar satisfaction of a petty spite to the noble one of bravely doing our duty. To turn from the calm impartiality of a book like this, an impartiality verging almost on coldness, to the debates in Congress on the "Fenian invasion," characterized as they were by a base truckling to the Irish vote, is like being suddenly snatched from the Banquet of Plato and dropped into the reeking purlieus of the "Five Points."

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15. — *Four Years of Fighting: a Volume of Personal Observation with the Army and Navy, from the first Battle of Bull Run to the Fall of Richmond.* By CHARLES CARLETON COFFIN. Boston: Ticknor and Fields. 1866. 8vo. pp. xvi., 558.

As the war correspondent of the Boston Journal, Mr. Coffin had the opportunity of witnessing many of the most striking scenes of the war of the Rebellion, and of being present at some of its most important events. His intelligent accounts of affairs caused his letters to be widely read, and his general accuracy won for his statements a confidence which those of few other of the war correspondents inspired. With strong moral feelings, patriotic, a little rhetorical, with entire confidence in the justice of his country's cause, amiable, and with a genial self-esteem invaluable in overcoming the difficulties of his position, Mr. Coffin was well fitted by nature to sympathize with the experiences of the army, which was in great part composed of men not unlike himself in spirit and character. A selection from his letters, printed without change, would form an interesting and valuable book, as giving a reflection of the feeling in the army at the period when they were written, and of the impressions made by passing events.

In the present volume, Mr. Coffin has occupied the middle ground

between historical and personal narrative. He gives a tolerably full and connected account of the war; and his relation, being enlivened by passages of personal experience and by description of scenes from actual observation, will probably be read by many persons who would not be likely to engage in the perusal of a methodical history. He seems, indeed, to have intended his book for the great newspaper-reading public, — the same public that he addressed in his letters; and for this portion of the community it is excellently adapted. The narratives drawn from direct observation are often conducted with much spirit, and the volume contains material of which the future historian will be glad to make use.

But as a purely literary work, its chief claim to attention is in its popular character. It shows how the New-Englander of average culture looks at his country and the war, how he feels about them, what he cares to read concerning them. The critic who regards the book from this point of view will find little that is not satisfactory in it, and much to which he can afford praise.

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16. — *Venetian Life.* By W. D. Howells. New York: Hurd and Houghton. 1866. 12mo. pp. 359.

Those of our readers who watch with any interest the favorable omens of our literature from time to time, must have had their eyes drawn to short poems, remarkable for subtilty of sentiment and delicacy of expression, and bearing the hitherto unfamiliar name of Mr. Howells. Such verses are not common anywhere; as the work of a young man they are very uncommon. Youthful poets commonly begin by trying on various manners before they settle upon any single one that is prominently their own. But what especially interested us in Mr. Howells was, that his writings were from the very first not merely tentative and preliminary, but had somewhat of the conscious security of matured *style*. This is something which most poets arrive at through much tribulation. It is something which has nothing to do with the measure of their intellectual powers or of their moral insight, but is the one quality which essentially distinguishes the artist from the mere man of genius. Among the English poets of the last generation, Keats is the only one who early showed unmistakable signs of it, and developed it more and more fully until his untimely death. Wordsworth, though in most respects a far profounder man, attained it only now and then, indeed only once perfectly, — in his "Laodamia." Now, though it be undoubtedly true from one point of view that what a man has to say is of more

importance than how he says it, and that modern criticism especially is more apt to be guided by its moral and even political sympathies than by æsthetic principles, it remains as true as ever that only those things have been said finally which have been said perfectly, and that this finished utterance is peculiarly the office of poetry, or of what, for want of some word as comprehensive as the German *Dichtung*, we are forced to call imaginative literature. Indeed, it may be said that, in whatever kind of writing, it is style alone that is able to hold the attention of the world long. Let a man be never so rich in thought, if he is clumsy in the expression of it, his sinking, like that of an old Spanish treasure-ship, will be hastened by the very weight of his bullion, and perhaps, after the lapse of a century, some lucky diver fishes up his ingots and makes a fortune out of him.

That Mr. Howells gave unequivocal indications of possessing this fine quality interested us in his modest preludings. Marked, as they no doubt were, by some uncertainty of aim and indefiniteness of thought, that "stinting," as Chaucer calls it, of the nightingale "ere he begin-neth sing," there was nothing in them of the presumption and extravagance which young authors are so apt to mistake for originality and vigor. Sentiment predominated over reflection, as was fitting in youth; but there was a refinement, an instinctive reserve of phrase, and a felicity of epithet, only too rare in modern, and especially in American writing. He was evidently a man more eager to make something good than to make a sensation, — one of those authors more rare than ever in our day of hand-to-mouth cleverness, who has a conscious ideal of excellence, and, as we hope, the patience that will at length reach it. We made occasion to find out something about him, and what we learned served to increase our interest. This delicacy, it appeared, was a product of the rough-and-ready West, this finish the natural gift of a young man with no advantage of college-training, who, passing from the compositor's desk to the editorship of a local newspaper, had been his own faculty of the humanities. But there are some men who are born cultivated. A singular fruit, we thought, of our shaggy democracy, — as interesting a phenomenon in that regard as it has been our fortune to encounter. Where is the rudeness of a new community, the pushing vulgarity of an imperfect civilization, the licentious contempt of forms that marks our unchartered freedom, and all the other terrible things which have so long been the bugaboos of European refinement? Here was a natural product, as perfectly natural as the deliberate attempt of "Walt Whitman" to answer the demand of native and foreign misconception was perfectly artificial. Our institutions do not, then, irretrievably doom us to coarseness and to impatience of that restraining prece-

dent which alone makes true culture possible and true art attainable. Unless we are mistaken, there is something in such an example as that of Mr. Howells which is a better argument for the American social and political system than any empirical theories that can be constructed against it.

We know of no single word which will so fitly characterize Mr. Howells's new volume about Venice as "delightful." The artist has studied his subject for four years, and at last presents us with a series of pictures having all the charm of tone and the minute fidelity to nature which were the praise of the Dutch school of painters, but with a higher sentiment, a more refined humor, and an airy elegance that recalls the better moods of Watteau. We do not remember any Italian studies so faithful or the result of such continuous opportunity, unless it be the *Roba di Roma* of Mr. Story, and what may be found scattered in the works of Henri Beyle. But Mr. Story's volumes recorded only the chance observations of a quick and familiar eye in the intervals of a profession to which one must be busily devoted who would rise to the acknowledged eminence occupied by their author; and Beyle's mind, though singularly acute and penetrating, had too much of the hardness of a man of the world and of Parisian cynicism to be altogether agreeable. Mr. Howells, during four years of that consular leisure which only Venice could make tolerable, devoted himself to the minute study of the superb prison to which he was doomed, and his book is his "Prigioni." Venice has been the university in which he has fairly earned the degree of Master. There is, perhaps, no European city, not even Bruges, not even Rome herself, which, not yet in ruins, is so wholly of the past, at once alive and turned to marble, like the Prince of the Black Islands in the story. And what gives it a peculiar fascination is that its antiquity, though venerable, is yet modern, and, so to speak, continuous; while that of Rome belongs half to a former world and half to this, and is broken irretrievably in two. The glory of Venice, too, was the achievement of her own genius, not an inheritance; and, great no longer, she is more truly than any other city the monument of her own greatness. She is something wholly apart, and the silence of her watery streets accords perfectly with the spiritual mood which makes us feel as if we were passing through a city of dream. Fancy now an imaginative young man from Ohio, where the log-hut was but yesterday turned to almost less enduring brick and mortar, set down suddenly in the midst of all this almost immemorial permanence of grandeur. We cannot think of any one on whom the impression would be so strangely deep, or whose eyes would be so quickened by the constantly recurring shock of unfamiliar objects. Most

men are poor observers, because they are cheated into a delusion of intimacy with the things so long and so immediately about them; but surely we may hope for something like seeing from fresh eyes, and those too a poet's, when they open suddenly on a marvel so utterly alien to their daily vision and so perdurably novel as Venice. Nor does Mr. Howells disappoint our expectation. We have here something like a full-length portrait of the Lady of the Lagoons.

We have been struck in this volume, as elsewhere in writings of the same author, with the charm of *tone* that pervades it. It is so constant as to bear witness, not only to a real gift, but to the thoughtful cultivation of it. Here and there Mr. Howells yields to the temptation of *execution*, to which persons specially felicitous in language are liable, and pushes his experiments of expression to the verge of being unidiomatic, in his desire to squeeze the last drop of significance from words; but this is seldom, and generally we receive that unconscious pleasure in reading him which comes of naturalness, the last and highest triumph of good writing. Mr. Howells, of all men, does not need to be told that, as wine of the highest flavor and most delicate *bouquet* is made from juice pressed out by the unaided weight of the grapes, so in expression we are in danger of getting something like acridness if we crush in with the first sprightly runnings the skins and kernels of words in our vain hope to win more than we ought of their color and meaning. But, as we have said, this is rather a temptation to which he now and then shows himself liable, than a fault for which he can often be blamed. If a mind open to all poetic impressions, a sensibility too sincere ever to fall into maudlin sentimentality, a style flexible and sweet without weakness, and a humor which, like the bed of a stream, is the support of deep feeling, and shows waveringly through it in spots of full sunshine, — if such qualities can make a truly delightful book, then Mr. Howells has made one in the volume before us. And we give him warning that much will be expected of one who at his years has already shown himself capable of so much.

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17. *Manomin: a Rhythmical Romance of Minnesota, the Great Rebellion, and the Minnesota Massacres.* By Myron Coloney. St. Louis: Published by the Author. 1866. 16mo. pp. xv., 297.

This book is a genuine product of America. In spirit and in form it is an honest growth of our soil. The motive and treatment of the story told, the faith and humanity manifested in it, and its natural poetry, are not less characteristic of our special civilization than the frequent cru-

dity of thought and expression, and the deficiency of poetic art and high culture. There are passages in the poem of more than Wordsworthian simplicity, — of a realism that can hardly be surpassed, and which, in the representation of the incidents and situations of common life, has the charm of nature and the vigor of truth. There are single lines of Chaucerian freshness and *naïveté*. The book is redolent of the woods and the prairies; it belongs to the West. The character of the author and of his poem will be best understood by reading his Preface.

"This book," he says, "has been written under the most unfavorable circumstances, occupying the *spare* hours of some six months, for while engaged upon it I have fulfilled the duties of Commercial Editor of the 'Evening News' of this city. It has been written without a library or even a private room in which to withdraw myself. I have had no lexicons, encyclopædias, rhyming dictionaries, or books of reference to assist me. Harpers' Magazine and the newspapers have been my only helps.

"I have sought no publishers, as I was almost entirely unknown as a writer, and felt there would be no probability of my getting one. I have grown up in the West, am thoroughly inoculated with its rude, energetic life, and its progressive, individualizing ideas. Of course my writings must be a true manifestation of myself. I glory in the spirit of American ideas, and demand for myself and claim for *all others* that *true* and perfect *equality*, both in religion and politics, that is every human being's *right on earth.*

"Faith in the upward progress of the human race, in spite of creeds and bigotries, is the corner-stone of my religion, and especial faith in the *people* of the United States of America is my glory and pride.

"So my book is *radical* upon all subjects, casting off all the old that seems to have worn out and served its purpose, and taking up and advocating all the new that seems good and true.

"I do not expect it is a great poem, I do not expect it will find favor with the rich, highly cultured minds of the East. I have chosen my characters from the common walks of life, and my story is largely a recitation of life's common events. My hero is intended as a fair type of what *free institutions* develop, — a hard-working, intelligent, high-minded boy, a dutiful son, a true patriot springing at once to the call of his country, a free-thinker, trusting his own God-given judgment to decide *all* questions for him, a brave, upright, and fearless *private soldier*, an unostentatious officer, and a faithful lover.

"To the best of my ability I have endeavored to embellish my narration with poetical ornament; and if I have failed, then fail it must be, as I do not know that I can ever produce anything better. At the same time I have avoided obscureness of expression, desiring to have every sentence and figure of speech clearly understood.

"I have committed no intentional plagiarism; and if there is anything in my book very similar to what some one else has written before me, I do not know it now.

"Hoping that my sincerity, at least, will not be doubted, I commit this my

first and undoubtedly my last literary venture to the great ocean of the American Mind."

This is manly writing. The strong expression of such principles as these arouses interest in the writer; and the interest thus awakened is quickened into sympathy by the pages which serve as an introduction to the poem, and which we quote, not merely on account of their genuine literary merit, but also in the hope of promoting the object for the sake of which this book has been printed.

"In the year 1858, myself and wife emigrated from the city of Chicago, Illinois, to Douglas County, Minnesota, and settled upon the lovely shores of Lake Ida. . . . .

"At the time myself and wife moved into Douglas County there was no beaten road over the prairie farther than the little paper town of Kandotta, near Fairy Lake. One log-cabin, and a very indifferent one at that, had been erected upon this site, a liberty-pole put up, a pole stable built, and the 'town' had an existence and a name. We purchased ox-teams in St. Cloud, loaded our household goods and provisions into the wagons, and the journey was commenced. It was in May, and there were no bridges across the streams. The Sauk River had to be crossed four times in the journey; and as it was very high, we were obliged to unload each time, and, after ferrying our goods over in a small skiff, take the wagon to pieces and ferry it over in the same manner.

"On our journey, at every cabin we stopped at, we heard of a Mr. Darling and his family with their teams and goods just ahead of us, bound for the same part of the State, and we hurried on, expecting every night to overtake them; but the energy and experience of the hardy frontiersman widened the distance between us every day, and when we arrived at Alexandria we found that he had been there some three or four days, and had immediately proceeded to his 'claim' upon Lake Darling, about one mile beyond the town, in the direction of Lake Ida.

"Notwithstanding the lateness of the season, Mr. Darling broke up and fenced about twelve acres of land, and raised a large crop of 'sod corn,' potatoes, buckwheat, and ruta-bagas. He also built himself a good, warm house, and a stable for his stock, and in farm enterprise took and kept the lead in all that section. He was a most indefatigable hunter and trapper at the season of the year when such business could be made to pay, and with old 'Biting Betty' could shoot a loon's eye out forty rods distant, every fire. 'Biting Betty' was made to order for him in Wisconsin; she carried a half-ounce ball, and weighed sixteen pounds, which every sportsman ought to know is an immense weight for a rifle.

"Mr. Andreas M. Darling was born of poor parents on a rugged farm in the northern part of the State of New York, and his father, like himself, appears to have been a kind of a 'rolling stone,' always keeping ahead of 'civilization.' In an early day they moved to Western New York, and thence to Ohio, and there young Andreas took the contract of cutting down the forest on the present site of Cleveland, Ohio. When settlers began to

be too numerous, he moved into Michigan, where he married; thence into Wisconsin, and from there into Minnesota.

"He was a large, well proportioned man, standing six feet four inches in his stockings, powerful, kind-hearted, and true. No man was readier at a 'raising,' 'chopping,' 'logging,' or 'ploughing' than he. He was invariably chosen as 'boss' of the occasion, no matter what it might be. He was always on hand at the frequent 'dances' with which the settlers, for miles around, sought to make merry the long winters of that distant, hyperborean region, and his 'team' always contained the jolliest load of young folks in the settlement.

"When the Sioux massacres commenced I was fortunately away from home. My wife had gone to Chicago to visit her parents, and I was travelling through Indiana purchasing sheep. My house and its contents were burned, and several of the neighbors, living higher up the road, were killed.

"The settlers about Alexandria organized themselves into a company, and, electing Mr. Darling captain, hastily left their homes for St. Cloud, one hundred miles below. The Indians followed and surrounded them nearly every night, but did not dare to attack, and finally the whole party reached St. Cloud in safety.

"The crops had all been left standing in the fields, and the cattle, hogs, and sheep were roaming at large. Assurance was given to Mr. Darling by Governor Ramsey that a company of soldiers should be stationed permanently at Alexandria very soon, and therefore, as soon as he could find safe quarters for his family, he with a neighbor of his, Mr. Barnes, went fearlessly back to their homes, and commenced saving their crops, and as soon as the soldiers came up they moved their families back again.

"I never returned, but, moving to St. Louis, commenced trading through Southwest Missouri and Arkansas, and finally, in connection with another gentleman of St. Louis, purchased the Hamilton Lennox plantation of a thousand acres, near Rolla, and christened it 'Union Farm.' It was so near Rolla, which was strongly garrisoned, that I never entertained the slightest apprehension of trouble from bushwhackers, and with my wife and father-in-law and family did not hesitate to move upon the place at once.

"I had kept up a pretty regular correspondence with Mr. Darling, and, believing him to be in a good deal of danger on his claim, a mile from the stockade, I advised him to come down to Missouri and take charge of my property as overseer. As there was a drouth prevailing in Minnesota at the time, and his family felt lonesome and discouraged, he consented, and, selling out his teams, utensils, &c., came on.

"I had leased the property to my father-in-law, Mr. Chauncey Tuttle, for a term of years, and he, ratifying my arrangement with Mr. Darling, gave him full charge of the farm. All went along peaceably and well, until the month of September, 1864. Myself and Mr. Tuttle had come up to St. Louis on business, and while here received the following telegram, which fell upon us like a flash of lightning: —

"To Myron Coloney:

"We were bushwhacked last night, and Mr. Darling was killed.

"Mrs. J. A. Coloney.

"Alas! it was too true! The dear, kind-hearted, brave old man was shot down while gallantly defending the entrance of my parlor. The murderers were 'Dick Kitchen's' band of guerillas, to whom, it is alleged, the 'Wright boys,' lately shot by Colonel Babcocke's men, belonged. The immediate instigators of the murder were two sons of the former owner of the place, Tom and Bill Lennox. They have yet to answer to the law for this most foul and hellish deed.

"The military authorities at Rolla sent over an escort and brought the body of the brave old man to town, and buried him with becoming obsequies in the military burying-ground. His stricken widow and her children determined to return to the 'claim' in Minnesota, which they did, and are there at this present time.

"It is for her benefit — to assist her in meeting the severe struggle of life, deprived as she is of the manly hand and strong arm on which she was wont to rely, to assist her in the proper education of her children — that this book has been printed. I do not know that it will ever return what it cost, but I trust it will, and hope it will supply a fund for many years to come, to fill the purse that the energy and industry of him who was so cruelly snatched away from her was wont to fill.

"She now lives upon the shores of Lake Darling, in Minnesota, while the remains of her noble husband lie away down here in the soil of Missouri. It is my earnest wish to disinter the body, provide it with a suitable coffin, and send it up to her, but embarrassments which have come upon me from being obliged to give up the farm, and losses in business, have put it entirely out of my power to do so at present; and if, therefore, after reading the story of the gallant, kind-hearted, true old man, any one should feel disposed to enclose me a contribution for that purpose, however small, it will be duly acknowledged and appreciated.

"'Biting Betty' was carried off by the party who committed the murder, as was every other thing of value in my house; but as the rifle was a very heavy one, it is thought that it was left somewhere in the State, and if it can be recovered and sent to me, a large reward will be paid for it."

It is not to depreciate the poem if we say that there is nothing in it more touching than this simple story, and nothing equal in literary excellence to these pages. The same qualities that distinguish the author's prose are manifest also in his verse, but they are encumbered by the difficulties attendant on verse-writing, and marred by defects of taste. The poem is always best in those passages which approach the prose in directness of intention and closeness to nature, — in those which depend more upon character, sensibility, and love of nature, than on those which involve the effort of imagination or attempt idealization.

In the descriptions of scenery, of the varieties of frontier life, its hardships, its pleasures, its toils, and its merry-makings, and in passages of simple, domestic, or patriotic feeling, there is often unusual felicity,

truth, and sweetness. But when the author wanders into the regions of spiritualism, mysticism, and sentimentalism his genius fails, and his poem reminds us in its boundless flatness of one of his own Western prairies.

But there are parts of the poem so fresh, so animated, so picturesque, that they stand out in distinct relief from the dull mass of faded and repetitive poetry of which our American semi-cultivation furnishes such a superabundant supply.

Here, for instance, is a picture of a house-raising in Minnesota:—

"In the wild and windy forest how the cheerful axes rung!
While old Autumn on the choppers golden showers thickly flung.
. . . . .
All the settlers had assembled, sturdy, brown, broad-handed band,
With their axes on their shoulders, come to lend a helping hand
In the rearing of a dwelling for the stranger just arrived,
Vowing they would never leave him till his family were hived!
Chopping down and nicely hewing, smooth and thin, the forest-trees,
Sawing, riving, shaving shingles, all were busier than bees!
Bossed by Uncle Andreas Darling, day by day the dwelling grew
'Neath that busy band of workers, while their jokes like arrows flew;
Trowels scraped and hammers rattled, axes glimmered in the sun;
Roofed and plastered, floored and windowed, Richard's house at last was done.
'Now then, boys,' said Uncle Darling, 'many helpers make work light;
Let us move in all this plunder, then we 'll have a jig to-night!'
Chairs and tables, bales and boxes, from the wagons were unbound,
Beds put up, and in the mean time two young men were sent around
To invite the girls, and hire, if they could, old Jim McBride,
Who was a most splendid fiddler, and a jolly chap beside!" — pp. 28 - 30.

The description of the feast that followed the "raising" is Homeric, even though Epicurus is turned into a divinity.

"In a grove of sugar-maples Esther spread the repast out.
What a sight for Epicurus, if that god had been about!
Blue-winged teals and royal mallards, fed upon wild-celery beds,
Black ducks, marsh-hens, juicy widgeons, fat and savory crimson-heads,
Plump wild geese and golden pheasants, prairie chickens, young and sweet,
Richly dressed and brownly roasted, more than fifty men could eat!
Broad black bass and mammoth pickerel, stuffed with highly-seasoned paste,
Pike and trout, all poured with sauces, cooked to suit the daintiest taste,
Haunches of the tenderest ven'son, juicy sirloins of the bear,
Steaks of elk, and steaming pot-pies filled with buttery grouse were there!
Berries stewed to crimson sauces, vegetables of every kind,
Flaky biscuit, golden butter, — really, the bewildered mind
Shrinks from the enumeration of the many viands there,
Grows confused and lost in wonder at this princely bill of fare!" — pp. 31, 32.

We must end our citations with a pleasant summer scene.

"'T was an early July morning, fresh and cool the dew-drops hung,
Bending down the heavy meadow-grass, where scythe-stones gayly rung,
And sturdy brown-armed mowers laid the wild thick harvest low,
With such ease and grace of motion that it seemed but play to mow!
With an even stroke the mowers swung their scythes at easy pace,
Till at length some boastful whetstone rang a challenge for a race!
With firm lip and swelling muscles grandly swayed each lithe form then,
And the merest boys among them stoutly played the part of men.
Uncle Darling, from the centre — with wide swarth and forward tread —
One by one cut round the mowers, till he came far out ahead
And, with rollicking good nature, wiped the sweat from off his face,
Slyly asking if the 'chap was lost that started that 'ar race?'" — pp. 128, 129.

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18. — *The History of Usury from the Earliest Period to the Present Time, together with a Brief Statement of General Principles concerning the Conflict of Laws in different States and Countries, and an Examination into the Policy of Laws on Usury and their Effect on Commerce.* By J. B. C. Murray. Philadelphia: J. B. Lippincott & Co. 1866. 8vo. pp. 158.

This is a useful book. Mr. Murray's style is clear, and his volume is furnished with abundant references and a good index. The author traces the history of usury through the various modifications of opinion concerning its morality, and through the various changes of laws of prohibition and permission. He is generally accurate in his statements, and tolerably thorough in his treatment of the subject. He has, however, omitted to notice the fact, that in 1854 a law was passed by Parliament, and received the royal sanction, repealing all former British acts imposing penalties for usury excepting such as relate to pawnbrokers.

In America, California is the only State which has abolished penalties for usury, — an act of 1850 fixing the legal rate of interest at ten per cent, but permitting contracts to be made at any other rate agreed on by the parties. The other States limit the rate by statute.

It is strange that, after the ample discussion the subject has received, and the injury which results to a community from interference with the natural laws that regulate the value of money, as of other things, has been clearly shown, persons not wanting in intelligence should still be found in favor of the maintenance of laws which attempt to fix the rate to be paid for the use of money. Such laws in a commercial community are so constantly violated that they serve to weaken that spirit of obedience to law as law which is one of the safeguards of free political societies.

The argument against such laws may be briefly stated. If money has an inherent value of its own, there is no reason for making an exception in regard to it. The law does not fix the rent a man may ask for his house or lands, or intervene to prevent the payment of the regular market price of a cow or a horse. If money is merely a representative of values, this does not alter the principle. The truth is, that money, like other articles of value, represents an amount of labor. It is like Borden's Concentrated Extract of Beef, of which each ounce represents, and is equivalent to, twenty times its weight of the original muscle. Money is concentrated, portable labor. If there be an open market for labor, there should be an open market for money.

Those who believe in eight-hour laws as consistent with the prosperity of the laboring class, or in laws for the division of lands, or in Jack Cade legislation, have a right to support and defend laws which prevent freedom in the employment of money and thereby hinder the progress of society.

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19. — *Fifteen Days. An Extract from Edward Colvil's Journal.* Ticknor and Fields. 1866. 16mo. pp. 299.

This book is a work of true feeling and earnest purpose. The central figure, Harry Dudley, passes two weeks in a Southern State under the roof of a newly acquired friend, who recounts the incidents of the time in these passages from his journal. The narrative of these fifteen days of their acquaintance is closed by the tragic death of the noble and beloved Northern youth; and this event, with its accompanying circumstances, is almost the only part of the volume — so strong is the impression on the reader that its characters and their surroundings have been drawn from life — in which the author seems to pass from the delineation of what has been to that of what only might have been. The episode covered by the extracts from Colvil's journal is made a vantage-ground from which to look back and discern all the beauty of a life which the space of a volume affords opportunity to present less remotely in but a single phase. But what seems at first merely a graceful study of character becomes later a keen analysis of the evils wrought to society by a great political wrong, through its effect on individuals, while it takes form at last in a story in which an enthusiastic friendship supplies the place usually held in fiction by the passion of love. The reader who can appreciate the contemplative and analytic spirit in which the book is written, and the womanly and sad tenderness, touched with a sentiment of romance, which finds vent in it, cannot fail to be

moved to sympathy with its author. The purity and simplicity of its style is in fitting harmony with the thought it expresses.

The effects of slavery upon all who upheld it are set forth in these pages with a certain restrained vehemence, and with an intensity of feeling which gives great distinctness to opinions and draws the lines sharply, but not unjustly, between good and evil. The special points touched upon by the writer possess more or less interest, and are more or less defined in outline. It is the spirit in which they are treated, rather than the precise mode of treatment, which interests the reader. There are many thoughtful studies of the great topic as seen under different lights; but the effect of slavery on the character and position of the master is the one most carefully worked out.

Such a book is not needless, for even while we repeat daily, with profound thankfulness, "Slavery is dead!" it is well still to look back on the not far distant years when, through our cowardice and ignorance, its cunning and audacious tyranny was pre-eminent, — well to temper our triumph in our self-wrought deliverance with repentance that this sin so long mastered us, — well to recall the past, while we have still to lament and to extinguish the evils to which it has given rise.

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20. — *Short Sermons to News Boys: with a History of the Formation of the News Boys' Lodging-House.* By Charles Loring Brace. New York: Charles Scribner & Co. 1866. 12mo. pp. vi., 244.

Among the many charities of New York none has been more successful in its operations, or productive in its field of better results, than the Children's Aid Society, established in 1853. Its plan and work are now well known throughout the country. Dealing with the class most susceptible to moral influences and most easy to withdraw from the temptations which lead to crime, and working with the simplest and most practical methods, it has done more probably than any other agency to check the increase of the numbers of adult criminals in New York, and to rescue from a life of suffering, poverty, and vice those children who were exposed to fall from depth to depth of misery and degradation. It has been of incalculable economical as well as moral service to society. A great part of the credit of its effective working is due to the author of this little volume, who has been its secretary and chief executive officer from the beginning, and who has displayed in this work, not only rare devotion and fidelity, but still rarer good sense, liberality, and practical judgment. Mr. Brace is fitted by nature and by education for the task in which he has so long been engaged; and though tempted by taste and ambition to give himself to other pursuits, has found in this

sphere his true field of labor, and has secured for himself a position as a recognized authority in matters of practical charity and philanthropy which may serve him as a vantage-ground for future extended usefulness.

In his present book he gives a deeply interesting account of one of the most fruitful branches of the work of the society. The story he tells deserves to be studied by all who are engaged in our great cities in efforts to improve the condition of poor boys. The News Boys' Lodging-House is a "model" institution. Its invention was a stroke of genius; but, once invented, it may easily be copied by inferior hands.

The "Short Sermons" are specimens of discourses delivered to the boys on Sunday evenings. They have the merits which belong to all good writing for the young, of simplicity, directness, and freshness of illustration. They are free from cant and conventionality. Many a writer of "long" sermons would benefit by the study of these short ones.

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21. — *Las Escuelas : base de la Prosperidad i de la Republica en los Estados Unidos. Informe al Ministro de Instruccion Publica de la Republica Arjentina.* Pasado por D. F. SARMIENTO, Ministro Plenipotenciario i Enviado Extraordinario cerca de los Gobiernos de Chile, Peru, i Estados Unidos. Nueva York. 1866. 8vo. pp v., and 3 – 327.

DON F. SARMIENTO complains of the comparative want of interest felt by his countrymen and all the inhabitants of South America in public education. To increase this interest, to obtain for the establishment and maintenance of schools sums such as are readily voted for building railroads and other material public works, he proposed, in 1864, to a congress of eight South American republics assembled at Lima, that he should be commissioned to study, during his residence in the United States, the working of our system of popular education, and to print for distribution an Annual Report of his observations. The present volume is the first Report. Its chief contents are, a biographical sketch of Horace Mann; an account of the thirty-seventh meeting of the American Institute of Instruction; remarks on various matters connected with education in Massachusetts, and on the education of the Freedmen; Governor Washburn's lecture, "Civil Polity a Branch of School Education"; remarks on reading in South America, *apropos* to the establishment of a public library at San Juan; an account of the dedication of the Escuela Sarmiento in the same city; and an oration by the author, delivered before the Rhode Island Historical Society.

For us the chief interest of the Report lies in the hints it affords of the condition of education in the Argentine Republic, and in the fact that the very appearance of such a work is a hopeful sign of the progress of civilization in the South American states.

Don F. Sarmiento sees no other means by which his countrymen can escape the frequent revolutions which have made them the opprobrium of the civilized world than the general diffusion of intelligence. The schoolmaster is better than the policeman. An appropriation of three millions a year should be granted for schools. "Three millions is less than the national government and the Provinces of the Interior spent in six months in suppressing the insurrection of El Chaco, which had its origin in the ignorance and barbarism of those who took part in it; it will cost three times three millions to restrain the devastating Guarani invasion, which proceeded from the same cause." The better class of people appear to see this, and the government is eager to forward the work; but school-houses are to be built, normal schools, like the Escuela Sarmiento, organized, libraries founded, even book-shops to be established where something better than the novels of Sue and Dumas shall be sold, and a taste for science and literature infused into a population many of whom have probably much less liking for study than for the free, wild life of the Guacho. The task is difficult, but if those upon whom it has fallen have the zeal and ability of Señor Sarmiento, it is not hopeless.

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22. — *Four Years in the Saddle.* By Colonel Harry Gilmor. New York: Harper and Brothers. 1866. 12mo. pp. 291.

General Sheridan, in his report of February 3, 1866, uses the following words with reference to his campaign of 1864, in the Valley: "During this campaign, I was at times annoyed by guerilla bands, the most formidable of which was under a partisan chief named Mosby, who made his head-quarters east of the Blue Ridge, in the section of country about Upperville. I had constantly refused to operate against these bands, believing them to be, substantially, a benefit to me, as they prevented straggling, and kept my trains well closed up, and discharged such other duties as would have required a provost-guard of at least two regiments of cavalry." Those who read this book, which may serve as an official report of one of the partisan bands alluded to by General Sheridan, will not be surprised that it occupies the same position in literature that the Colonel did himself in war, — the position of a provost-guard, which will operate as effectually against those stragglers who forget to distinguish between the enemy's country and their own as at least two regiments of cavalry.

23. — *Lectures on the Study of History, delivered in Oxford*, 1859 – 61. By Goldwin Smith, M. A., Regius Professor of Modern History in the University of Oxford. To which is added a Lecture delivered before the New York Historical Society in December, 1864, on the University of Oxford. New York: Harper and Brothers. 1866. 12mo. pp. 269.

The Lectures on the Study of History which Professor Goldwin Smith delivered soon after his appointment to the chair of Modern History at Oxford have lost none of their value during the period that has since elapsed. They deserve to be more widely known than they have hitherto been in this country; and the debt which America owes to their author for his manly and powerful support of her great cause, for his hearty and generous sympathy in her efforts, will be still further increased by the service which will be rendered to the progress of truth by the clear statement, the liberal thought, and the advanced views of this volume.

There are few questions of deeper interest or higher importance than that of the nature of history. Connected on one side with the practical affairs of life, with the immediate course of human affairs, it is related on the other to the highest spiritual concerns, and upon its solution depends in great measure our view, not only of the nature of man as a moral being, but also of the nature of God, and of the modes by which the world is governed. The advocates of the doctrine of chance as the ruling principle of history are, in our days, neither numerous nor powerful; the advocates of the doctrine of law, those who assert that history is governed by absolute and determinable laws, are, on the other hand, numerous and able. The positivist school in science has invaded the domain of philosophy; and the continually strengthening sense of the control exercised by law over the material creation, in all its manifestations, leads to persistent and vigorous attempts to show that the moral world lies under the dominion of the same absolute and impersonal principle. History is regarded as one of the so-called physical sciences; and the course of human affairs is represented as subject to laws as inexorable and as determinable as those which control the motions of the planets or the changes of the surface of the globe.

Against this school of thinkers, as represented by Comte, Buckle, and their followers, Mr. Smith takes ground. His statement of the objections to the doctrines which they have propounded is one of the ablest that have been made; and the theory which he sets forth in opposition to theirs is a good corrective of their exaggerations, while it has an importance of its own through its recognition of conditions which

are wholly disregarded in the "necessarian" scheme. He denies that there is a "science" of history, that is, that it is governed by necessary laws which can be positively determined; but he likewise denies that history is a chaos because it has no necessary law. There is a philosophy of history, though there be no science. He adopts and vindicates the doctrine of historical progress, and he finds the source of this progress in the unimpeded efforts of the will of man, in the moral freedom of man, in the conscious struggle toward improvement. To him, the key of history is to be found, not in the progress of science under fixed, invariable fate-resembling laws, but in the formation by effort of man's character, which is pre-eminently religious and moral.

We regret that we cannot follow at length the argument of Mr. Smith. The reader is impressed not more with the intellectual attainments and powers of the author than with his moral earnestness and religious sincerity. His character penetrates and elevates all that he writes. Deeply religious without a shadow of bigotry, of a temper liberal without extravagance, with a moral nature pure and strong without a touch of asceticism, and with rare intellectual powers disciplined by the best culture, Mr. Smith stands in the ranks of the leaders of English thought. Far in advance of the mass even of the intelligent among his countrymen, he is one of the advanced guard of the defenders of liberty and religion, one of those men by whom the way into the future is opened for mankind without destructive violence or aimless wanderings.

In a merely literary aspect, this book, like all Mr. Smith's writings, is remarkable to a degree that is hardly yet recognized by his contemporaries. It is not too much to say that there is no writer of the present day who possesses a better style, who writes more manly, compact, simple, and racy English. He has attained to the command of beautiful and forcible language, which, in his own words in the first Lecture in this volume, "No man will be master of without being master of better things. Language is not a musical instrument, into which if a fool breathe, it will make melody. Its tones are evoked only by the spirit of high or tender thought; and though truth is not always eloquent, real eloquence is always the glow of truth."

Beside the Lectures on the Study of History and on Oxford, this volume contains an Inaugural Lecture, a Lecture "On some supposed Consequences of the Doctrine of Historical Progress," a letter on "The Moral Freedom of Man," and a Lecture "On the Foundation of the American Colonies."

24. — *The First Century of Dummer Academy. An Historical Discourse, delivered at Newbury, Byfield Parish, August* 12, 1863. *With an Appendix.* By NEHEMIAH CLEAVELAND. Boston: Nichols and Noyes. 1865. 8vo. pp. 71, xliii.

THOUGH Dummer Academy, through its century of existence, has not been among the most distinguished or successful of the institutions of learning of its class in New England, it has done good service in its day, and has claims to remembrance which make its history worthy of preservation among our local records. It is fortunate in having found such an historian as the respected author of this Discourse. For nineteen years he was at the head of the Academy, and his faithful services have borne fruit in the lives of many of his pupils. The well-written pages of his narrative bear witness, not only to his hearty interest in all that concerns the institution, but also to his good sense and liberal sentiments. His pages will be found interesting to the lover of the characteristic and entertaining details of our local annals, and to the investigator of the history of education in New England, as well as to those who have had personal relations with the Academy.

NOTE TO ARTICLE V.

MR. DANA'S NOTES ON WHEATON'S ELEMENTS OF INTERNATIONAL LAW.

IN the year 1855, eight years after the author's death, an edition of Mr. Wheaton's work on International Law was published at Boston, with notes by Mr. William Beach Lawrence. In 1863 another edition appeared, also annotated by Mr. Lawrence, but with much greater fulness. Mr. Lawrence had been the friend of Mr. Wheaton, and undertook this labor for the benefit of Mr. Wheaton's family.

Prior to the publication of Lawrence's edition, in 1863, Mr. Wheaton's book had always been the official text-book of the United States government, that is to say, the government had furnished its foreign ministers and consuls with copies, and had kept a copy on board every national vessel.

An examination of the notes of the edition of 1863 at the State Department had resulted in its condemnation for disloyalty of sentiment in those parts wherein questions arising in the pending civil war were

discussed. The public was soon informed of the fact, and the character of Mr. Lawrence's annotations was fully exposed in the notices of the work which appeared in various journals. It was made evident that Mr. Lawrence had executed his work in no spirit of judicial impartiality, but with intent to discredit the government of his country and to afford aid to its enemies.

The sale of the book was brought to a dead stop in this country; and it could only find a market in England, where the common feeling against the course of action of our government found confirmation in the statements and arguments of Mr. Lawrence. A weapon was furnished to the enemies of America by one of her own children.

It was to rescue the honorable fame of Mr. Wheaton from this disgrace, and to restore value and authority to the work, that those who had the deepest concern in the matter, and who experienced the utmost mortification in the fact of the factitious weight given to Mr. Lawrence's notes by their association with the original text, requested Mr. Dana to prepare a new edition of the work. No one in the country was better fitted to accomplish the task in the most satisfactory manner. A man of the highest honor, a true patriot, a lawyer of rare attainment and of judicial fairness of mind, versed in the literature of international law, and with large and recent practice in this special field of jurisprudence, having himself assisted in the settlement of some of the most important questions of the law, he came to the work with qualifications of the highest order.

No sooner, however, was it announced that Mr. Dana had undertaken this task, than Mr. Lawrence, assuming that he had reason to complain, as if he had by his previous labors acquired an exclusive right to the editorship of Mr. Wheaton's work, published a series of letters in the newspapers of a character of which we do not care to speak in the terms which alone can properly describe them. Not content with parading his own fancied griefs, he dragged before the public in the most scandalous manner the names of persons whose sex, among gentlemen, is a sanctuary, and whom he above all others was bound to treat with respect.

We should not soil our pages with an allusion to these letters were it not that, since the publication of Mr. Dana's edition of Wheaton, Mr. Lawrence has published another letter, the *animus* of which is illustrated by that of those which preceded it.

In the Preface to his edition, Mr. Dana says: "The notes of Mr. Lawrence do not form any part of this edition. It is confined to the text and notes of the author, and the notes of the present editor, who undertakes his work at the request of the widow of Mr. Wheaton, recently deceased, and of his only surviving children, his daughters."

In the New York Evening Post of August 22d appeared the letters from Mr. Lawrence to which we have just referred, and of which we here reprint the substantial part.

"The avowal in his [Mr. Dana's] Preface, that he had entirely ignored my labors of fifteen years, and that nothing that had been contributed by me to the science of international laws was to be found in his volume, induced me to avail myself of the earliest moment of leisure to give this new book a cursory examination. With a pencil I marked, in the copy that I had bought, a reference to the correspondent matter in my edition. This it was the more easy to do, as Mr. Dana, in appropriating my annotations, not only without giving me credit for them, but actually denying that he had made any use of them, did not even take the trouble to alter their arrangement.

"In my last edition I had translated into English the very numerous citations from foreign languages. It is certainly a most miraculous coincidence that Mr. Dana, unaided by my previous labors, as he asserts, should not only have been led, from his investigations, to the same authors, that his translations should have been made in the same precise words, and that in the several thousand references to be found to works in English, French, Spanish, Italian, and German, there should have been no difference between us. This is still the more extraordinary from the fact that the typographical errors in such cases in the two editions are the same.

"The truth is, and the determination of the question does not depend on my assertion, or on that of Mr. Dana, but any intelligent person will, by comparing a copy of each edition, find, with the exception of such matters which have arisen since the publication, in 1863, of the last edition of Lawrence's Wheaton, there is not a note in this spurious edition which has not been copied from me or suggested by my annotations. It may, indeed, be confidently affirmed that, without a free use of my book, Mr. Dana's could never have been produced, and that in its preparation he has resorted to no other, except President Woolsey's work for schools and colleges. There may be individual exceptions, but as far as my examination has gone I have found no other book referred to which was not cited in Lawrence's Wheaton. Books of which I know that no second copy exists in America, facts derived from my correspondence with the publicists of Europe, are employed by Mr. Dana without scruple. Even accounts of events occurring during my own brief diplomatic career, and which have never been printed except in my edition of Wheaton, are referred to for familiar illustrations."

On the tone or the English of this letter we will not remark, but we propose to take Mr. Lawrence's specific charges in their order, and to examine them one by one, so far as they admit of separate consideration. First, he says that Mr. Dana, in appropriating, without acknowledgment, his notes, "did not even take the trouble to alter their arrangement."

There is no foundation for this charge. It might, indeed, be natu-

rally supposed that, since the original work was in every case to furnish the primary idea to which further elucidation was to be given, and in connection with which modern facts were to be cited by the editors, we should find at least a similarity in the order of subject-matter. Such is not the case. Occasionally, indeed, each has treated of the same matters in his note on the same passage. But even these coincidences, which might have been anticipated almost as a necessity in nearly every case, are of comparatively rare occurrence; and so very variously are the same facts, cases, and topics arranged by the two editors, that the labor of collating the two works is rendered exceedingly difficult, even with the aid of their respective indexes. Not only the converse of Mr. Lawrence's statement is the real truth, but it is so to a very surprising extent.

Mr. Lawrence next asserts that he has translated "very numerous citations from foreign languages"; he regards it as "extraordinary" that Mr. Dana's "translation should have been made in the same precise words." There is an element of correctness in these remarks. Mr. Lawrence certainly has translated *very* numerous citations; and certainly any one will admit, as an abstract proposition, that it *would have been* very extraordinary, to use no stronger epithet, if Mr. Dana, in translating the same numerous passages, had used "the same precise words." We must note, however, a marked difference in the general manner in which these two annotators have executed their work. With precisely the same text, Mr. Lawrence has given us eleven hundred and forty octavo pages; Mr. Dana has given us seven hundred and fifty pages. So far as there is any difference in typography, the finer type is to be found in Mr. Lawrence's edition. This difference is striking, especially when we consider that upwards of two years crowded with matters of novelty and interest in the law had elapsed between the two publications. Mr. Lawrence, in his notes, gives us countless citations translated *verbatim* from every species of work or document that has any bearing upon the general topic. This it is that has made his volume so bulky, and this it is that has rendered his annotation cumbrous and confused. We read all that anybody has said on points on which scarcely two persons have agreed, and at the close we are left as best we may to conjure a definite notion out of the chaos of dispute. This style of editing is not that adopted by Mr. Dana. This gentleman first makes himself completely master of the views of the various publicists or statesmen who have discussed a question, and then in his own clear and terse language gives his readers the result of their labors in a few lines, as in a nutshell. He does not quote, but he states with a pregnant brevity the substance of whole pages of quotation.

Thus we find in him very few *verbatim* or literal citations from foreign writers, translated or otherwise. We have gone carefully through his whole work, and we have discovered much less than one hundred lines of literally-quoted translated matter. Probably Mr. Lawrence was not aware that the stubbornly demonstrable mathematics of the question stood thus, when he made his sweeping and extravagant assertion. We have farther sought to identify these quotations with Mr. Lawrence's translations of the same; but since it is seldom that Mr. Dana quotes more than two successive lines in this manner, and since hunting for a particular quotation in Lawrence is nearly as difficult a task as searching for an especial grain of sand on the sea-shore, we have not been so successful as we could have desired. Twice only have we found the same passage introduced by each. One of these passages was one line and a quarter in length, and was decidedly different in expression in the two works. The other passage was longer, and the difference was so great that it almost seemed as though it could not have been altogether accidental.

Mr. Lawrence further says, that this identity is "still the more extraordinary from the fact that the typographical errors in such cases in the two editions are the same." It was supposed that this remarkable allegation could hardly have been ventured upon, unless it had some foundation in fact; and with great labor it has indeed been traced to a definite source. In Mr. Lawrence's edition all his notes were enclosed in brackets and signed L. A copy of this work was given to the printer with directions to strike out everything which bore this mark. By an error of the printing-office, which escaped the subsequent scrutiny of Mr. Dana, Note 62 of Lawrence has been reprinted, and appears as Note 53 of Dana. It contains, however, not one word of original matter; it is simply a quotation enclosed in quotation-marks, and for which the reference is duly made. In this reference a typographical error occurs. It consists simply in the printing of "*Stephens's Blackstone*" instead of *Stephen's Blackstone*. The entire note is only four lines in length. The detection of this minute error shows clearly to what a microscopic examination Mr. Dana's work has been subjected; and at the same time that it proves certainly the existence of this one appropriation, it also leaves us free to apply the doctrine, *Expressio unius, exclusio alterius;* and we may fairly infer that, since this is the only case of the kind found, it is the only one existing, and that the plural word "errors" is a manifest case of hyperbole. We need hardly say, that it was the apparent insignificance of a note so short and wholly a quotation that caused it to escape the eye of Mr. Dana as he read over the proof-sheets; or that the accident which originated in the care-

lessness of others has given him no less pain than it seems to afford triumph to his adversary; and that prompt steps are to be taken to repair that slight error, which is frankly avowed.

Mr. Lawrence next asserts that, with the exception of such matters as have arisen since his edition was published, "there is not a note in this spurious edition which has not been copied from me or suggested by my annotations. It may indeed be confidently affirmed, that, without a free use of my book, Mr. Dana's could never have been produced, and that in its preparation he has resorted to no other except President Woolsey's work for schools and colleges." This is strong language, and the sneer applied to President Woolsey's excellent book is wholly uncalled for. With regard to this charge we can only say, that, as it is in its nature general and probably incapable, from the intrinsic merits of the case, of being rendered specific, so it cannot be specifically refuted. Yet precisely where in his own work Mr. Lawrence will display the materials for the notes on "The United States Judiciary," "The Monroe Doctrine," "Rebels as Pirates," "Belligerent Powers exercised in Civil War," "Prize Jurisdiction," "Carrying Hostile Persons and Papers," and numerous others, we are quite at a loss to conceive. Both editors have the same historical facts, the same diplomatic negotiations, to deal with. This is, from the nature of things, inevitable. Every historian of England has the same list of sovereigns, the same Parliamentary bills, the same changes of ministry to relate. In all works founded in whole or in part on the *positive events* of the past, a similarity, and often identity, of *subject-matter* is inevitable. We think that Mr. Lawrence is the first man who ever undertook to call this by the ugly name of plagiarism. After a very careful examination and comparison of both the editions of Wheaton, we cannot see in what particular the production of Mr. Dana's work would have been obstructed, though Mr. Lawrence had never written. But when any individual note shall be signified as the original, or the suggesting foundation, of any one of Mr. Dana's notes, it will then be time to re-examine this loose and wandering charge.

Mr. Lawrence also regards it as a "most miraculous coincidence, that Mr. Dana, unaided by my previous labors, as he asserts, should not only have been led from his own investigations to the same authors," &c., &c. Also he says: "There may be individual exceptions, but as far as my examination has gone I have found no other book (than President Woolsey's) referred to which was not cited in Lawrence's Wheaton." These sentences have the appearance of having been designed to deceive and to take an unfair advantage of unprofessional readers. To all persons in the least degree acquainted with the study of international

law, the fact stated by Mr. Lawrence will seem by no means "miraculous," but rather absolutely unavoidable. This science is the growth of modern days. It is not long since Grotius wrote upon it, speculatively, regarding it as a subject which demanded rather than furnished rules and principles. The number of publicists of any note whatsoever is very limited. They could be named from memory and counted upon the fingers in much less than five minutes. The works of all of them would not fill a very large bookcase. To undertake to write upon international law without having first obtained a familiar acquaintance with all of them would be a piece of folly of which no sensible man would be guilty. One would judge from Mr. Lawrence's remarks, that these writers were multitudinous; that one had to choose wisely a reasonable number from their crowded ranks, and that, after Mr. Lawrence had carefully made a sage selection, Mr. Dana had quietly taken his list. No impression could be more erroneous. Both editors — for we wish to do no injustice to Mr. Lawrence — both certainly have examined all these writers; both are intimate with the valuable parts of their works; both have made use of them in such a manner and to such extent as they have seen fit. But to presume that there are others outside this charmed circle, and that Mr. Dana has not stumbled upon any of them, because he followed implicitly the selection of Mr. Lawrence, is as absurd as if one religious writer should accuse another of having stolen his list of the Gospels because he had quoted only from four Evangelists. In fact, we find that Mr. Dana has made very free use of the work of Pfeiffer, an able and eminent man, whom Mr. Lawrence has quite disregarded, and that he has paid slender respect to the lucubrations of M. Hautefeuille, who has furnished the backbone of Mr. Lawrence's annotation.

Besides the works of publicists, we find of course references to treaties. Treaties, however, are the public property of the world; they are published, open, notorious. Ignorance of them would simply imply a complete incompetence for the task undertaken. We may dismiss this point as requiring no discussion; and the next is of similar nature. A very large portion of the references in both works are to causes tried and decided in the law courts of this country and Great Britain. The number of these is certainly tolerably large. It would probably strike persons untrained in the mysteries of the law as much more formidable than it in fact is. Law books upon "Contracts," "Wills," "Real Property," and a hundred topics, are yearly coming from the press, in which the table of cases is much larger than that in either of these volumes. A knowledge of cases is natural to the jurist; he learns from one to find another; he can trace with surprising speed and accuracy the long

series through scattered volumes of reports; the labor is not so stupendous as to the uninitiated it would seem. In the later case the prior cases are cited, and the cohesiveness of the whole mass is greater than could be guessed. Moreover those cases in which points of international law are discussed are generally, as it were, "ear-marked," and are readily accessible. It has been Mr. Dana's business, as United States District-Attorney for the last five years, to acquire a close and thorough acquaintance with precisely these cases; and the able manner in which he has performed his professional duties is irrefragable proof that he has done so. And here again we must give to Mr. Lawrence one more mathematical statement, — for figures tell no lies. It is a fact within our own accurate and positive knowledge, that the table of cases in Mr. Dana's volume contains about one hundred and seventy-five cases which are not to be found in Mr. Lawrence's table. All of these certainly did not arise within the three years which elapsed between the publication of the two works. In fact, we think that less than twenty can be referred to this period.

Mr. Lawrence further charges that "books" of which he "knows that no second copy exists in America are employed by Mr. Dana without scruple." Probably he means that *his quotations* from these books — not the books themselves — were thus used. Those who believe that Mr. Lawrence has such an intimate acquaintance with all the libraries in the country, and with the result of the efforts which have been made by the able and energetic publishing house which has brought out Mr. Dana's edition to procure the requisite works from abroad, may credit this statement. We doubt if Mr. Lawrence would be willing to name the particular work upon which he would allow his allegation to be put to the test. There is something ludicrously schoolboyish and provincial in an accusation of this kind. It stamps the *nouveau riche* in scholarship as unmistakably as some other parts of Mr. Lawrence's letters betray the man of imperfect breeding.

Finally he says: "Even accounts of events occurring during my own brief diplomatic career, and which have never been printed except in my edition of Wheaton, are referred to for familiar illustrations." Does Mr. Lawrence wish us to think that all which he accomplished in that "brief diplomatic career" is to be forever sacredly enshrined within the limits of his own work? We are aware of no such peculiar features in his foreign performances, so distinguishing them from the labors of other statesmen and diplomatists as to render a reference to them by a lawyer or an historian an unwarranted trespass. Had Mr. Dana wholly ignored them, Mr. Lawrence might have felt injured, and might have complained of the neglect. Certainly the notion that he has a

peculiar private monopoly of narration in all matters connected with "his own brief diplomatic career" is no less novel than absurd. The labors of diplomatists, being paid for, however insufficiently, by the public, have always been regarded as public property.

We have thus gone through, one by one, with Mr. Lawrence's charges against Mr. Dana. We have conclusively exhibited the groundlessness of some of them, the folly of others. Mr. Dana's reputation has nothing to fear from such an assault. The blow recoils with terrible force upon the assailant.

LIST OF SOME RECENT PUBLICATIONS.

1. Histoire de Jules César. Par S. M. I. Napoléon III. Tome Deuxième. New York: D. Appleton et Cie. 1866. Sm. 8vo. pp. 552.

2. History of Julius Cæsar. Vol. II. The Wars in Gaul. New York: Harper and Brothers. 1866. 8vo. pp. xv., 659.

3. The Conversion of the Northern Nations. The Boyle Lectures for the Year 1865. Dy Charles Merivale, B. D. New York: D. Appleton & Co. 1866. Sm. 8vo. pp. 231.

4. A History of the Gypsies: with Specimens of the Gypsy Language. By Walter Simson. Edited by James Simson. New York: M. Doolady. 1866. 12mo. pp. 575.

5. Life and Times of Andrew Johnson, Seventeenth President of the United States. Written from a National Stand-point. By a National Man. New York: D. Appleton & Co. 1866. 12mo. pp. xii., 363.

6. Stonewall Jackson: a Military Biography, with a Portrait and Maps. By John Esten Cooke. New York: D. Appleton & Co. 1866. Sm. 8vo. pp. 470.

7. A Narrative of Andersonville, drawn from the Evidence elicited on the Trial of Henry Wirz, the Jailer. With the Argument of Col. N. P. Chapman, Judge Advocate. By Ambrose Spencer. New York: Harper and Brothers. 1866. 16mo. pp. 272.

8. Medical Recollections of the Army of the Potomac. By Jonathan Letterman, M. D., late Surgeon United States Army, and Medical Director of the Army of the Potomac. New York: D. Appleton & Co. 1866. 8vo. pp. 194.

9. History of the Atlantic Cable. By Henry M. Field, D. D. New York: Charles Scribner & Co. 1866. 12mo. pp. 364.

10. English Travellers and Italian Brigands. A Narrative of Capture and Captivity. With a Map and several Illustrations. New York: Harper and Brothers. 1866. 12mo. pp. 355.

11. Elements of International Law and Laws of War. By H. W. Halleck, LL. D., Major-General United States Army. Prepared for the Use of

Colleges and Private Students. Philadelphia: J. B. Lippincott & Co. 1866. 8vo. pp. xxviii., 380.

12. Essays, Philosophical and Theological. By James Martineau. Boston: William V. Spencer. 1866. Sm. 8vo. pp. vi., 424.

13. Recent British Philosophy: a Review, with Criticisms; including some Comments on Mr. Mill's Answer to Sir William Hamilton. By David Masson. New York: D. Appleton & Co. 1866. 16mo. pp. 335.

14. Orthodoxy: its Truths and Errors. By James Freeman Clarke. Boston: American Unitarian Association. 1866. 12mo. pp. xi., 512.

15. The Home Life: in the Light of its Divine Idea. By James Baldwin Brown, B. A. New York: D. Appleton & Co. 1866. 16mo. pp. viii., 327.

16. Sermons preached on different Occasions during the last Twenty Years. By the Rev. Edward Meyrick Goulburn, D. D. Reprinted from the Second London Edition. New York: D. Appleton & Co. 1866. 12mo. pp. 397.

17. Discourses of Redemption: designed both as Biblical Expositions for the People and Hints to Theological Students. By Rev. Stuart Robinson, Pastor of the Second Church, Louisville, &c., &c. New York: D. Appleton & Co. 1866. 8vo. pp. 488.

18. Life and Death Eternal: a Refutation of the Theory of Annihilation. By Samuel C. Bartlett, D. D., Professor in Chicago Theological Seminary. Boston: American Tract Society. 1866. 12mo. pp. 390.

19. Life: its Nature, Varieties, and Phenomena. By Leo H. Grindon, Lecturer on Botany at the Royal School of Medicine, Manchester, &c., &c. First American Edition. Philadelphia: J. H. Lippincott & Co. 1866. 12mo. pp. 578.

20. Shakespeare's Delineations of Insanity, Imbecility, and Suicide. By A. O. Kellogg, M. D. New York: Hurd and Houghton. 1866. 16mo. pp. 204.

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24. Spare Hours. By John Brown, M. D. Second Series. Boston: Ticknor and Fields. 1866. 12mo. pp. 436.

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33. Battle Pieces and Aspects of the War. By Herman Melville. New York: Harper and Brothers. 1866. 12mo. pp. 272.

34. Poems by Christina G. Rossetti. Boston: Roberts Brothers. 1866. 16mo. pp. 256.

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